

EXHIBIT NO. PTX-127 evid.  
CAUSE NO. 3:22cv734-DPJ-HSO-LSH  
WITNESS \_\_\_\_\_  
CLERK: Shone Powell

FEB 26 2024

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
Candice Crane, REPORTER

Page 1

1                   UNITED STATES DISTRICT COURT  
2                   SOUTHERN DISTRICT OF MISSISSIPPI  
3                   NORTHERN DIVISION  
4                   MISSISSIPPI STATE CONFERENCE OF THE         PLAINTIFFS  
5                   NATIONAL ASSOCIATION FOR THE  
6                   ADVANCEMENT OF COLORED PEOPLE; DR.  
7                   ANDREA WESLEY; DR. JOSEPH WESLEY;  
8                   ROBERT EVANS; GARY FREDERICKS;  
9                   PAMELA HAMNER; BARBARA FINN; OTHO  
10                  BARNES; SHIRLINDA ROBERTSON; SANDRA  
11                  SMITH; DEBORAH HULITT; RODESTA  
12                  TUMBLIN; DR. KIA JONES; MARCELEAN  
13                  ARRINGTON; VICTORIA ROBERTSON  
14                  VS.  
15                  No.  
16                  3:22-cv-734-DPJ-HSO-LHS

17                  STATE BOARD OF ELECTION                   DEFENDANTS  
18                  COMMISSIONERS; TATE REEVES, in his  
19                  official capacity as Governor of  
20                  Mississippi; LYNN FITCH, in her  
21                  official capacity as Attorney  
22                  General of Mississippi; MICHAEL  
23                  WATSON, in his official capacity as  
24                  Secretary of State of Mississippi  
25                  AND  
1                  MISSISSIPPI REPUBLICAN EXECUTIVE         INTERVENOR-  
2                  COMMITTEE                                   DEFENDANT

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VIDEO DEPOSITION OF MADALAN LENNEP

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Taken at the instance of the Plaintiffs at the  
offices of the Mississippi Attorney General, 550  
High Street, Jackson, Mississippi, on  
December 18, 2023,  
beginning at approximately 9:21 a.m.  
(APPEARANCES NOTED HEREIN)

\* \* \* \* \*

Reported Stenographically by:  
Julie Brown, RPR, CCR 1587

3:22-cv-734

PTX-127

	Page 2	Page 4
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16 Jason Hopkins, videographer		
Bailey Finnestad, exhibit tech		
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25		

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<p>1 THE VIDEOGRAPHER: Good morning. We are 2 going on the record at 9:20 a.m. Central Time on 3 December 18, 2023.</p> <p>4 Please note that this deposition is being 5 conducted virtually and quality of recording depends 6 on the quality of the camera and the internet 7 connection of the participants. What is seen from 8 the witness and heard on screen is what will be 9 recorded. The audio and video recording will 10 continue to take place unless all parties agree to 11 go off the record.</p> <p>12 This is a video-recorded deposition of 13 Madalan Lennep taken by counsel for the plaintiff in 14 the matter of Mississippi State Conference of the 15 National Association for the Advancement of Colored 16 People, et al., versus the State Board of Election 17 Commissioners et al., filed in the United States 18 District Court for the Southern District of 19 Mississippi Northern Division, case number 20 3:22-cv-734-DPJ-FKB.</p> <p>21 This deposition is being located at 550 22 High Street, Jackson, Mississippi.</p> <p>23 My name is Jason Hopkins. I'm the 24 videographer. The court reporter is Julie Brown. 25 We are both from the firm Veritext New York. Our</p>	<p>Page 6</p> <p>1 Philadelphia, while you are located in Jackson, 2 there are some additional rules that you may not be 3 familiar with that I'm going to want to go over with 4 you.</p> <p>5 So you have taken an oath to tell the truth 6 this morning. And we're going to ask you questions 7 and going to expect you to answer to the best of 8 your ability and to uphold that oath and provide 9 truthful answers. Okay?</p> <p>10 A. Okay.</p> <p>11 Q. We're going to be showing you some 12 documents at certain points. They'll be provided to 13 you on a screen. I believe that, for most of them, 14 if not virtually all of them, we also have them in 15 paper form so you can review them in order to be 16 able to answer questions on them. But I want to 17 make sure that you avail yourself of that 18 opportunity before you answer questions about 19 documents. Okay?</p> <p>20 A. Yes.</p> <p>21 Q. If I ask a question and you don't 22 understand it, let me know, and I'll be happy to 23 rephrase it. If I ask a question and you haven't 24 heard it and you need it read back, let me know and 25 either I'll repeat it or have the court reporter</p>
<p>1 concierge today, also from Veritext New York, is 2 Bailey Finnstad.</p> <p>3 I am not related to any party in this 4 action nor am I financially interested in the 5 outcome.</p> <p>6 If there are any objections to the 7 proceedings, please state them after the witness is 8 sworn. The witness may now be sworn.</p> <p>9 MADALAN LENNEP, 10 having been first duly sworn, was examined and 11 testified as follows:</p> <p>12 E X A M I N A T I O N 13 EXAMINATION BY MR. LAVELLE:</p> <p>14 Q. Ms. Lennep, my name is John Lavelle. I 15 am an attorney at the law firm Morgan Lewis &amp; 16 Bockius. I am one of the attorneys representing the 17 plaintiffs in the lawsuit in which your deposition 18 has been requested.</p> <p>19 Have you ever had your deposition taken 20 before?</p> <p>21 A. I have.</p> <p>22 Q. All right. So you're familiar generally 23 with how this works, but because we are doing this 24 virtually, in other words, I am participating in 25 this deposition by Zoom from another location, from</p>	<p>Page 7</p> <p>1 read it back.</p> <p>2 If I ask a question and you answer it, I'm 3 going to assume you heard it, you understand it and 4 you're answering it to the best of your ability.</p> <p>5 Okay?</p> <p>6 A. Yes.</p> <p>7 Q. I need the answers that you provide today 8 to be your own answers. And what that means is you 9 cannot get assistance from anybody else to answer 10 the questions, even though we are doing this 11 deposition remotely. So I would ask you not to 12 consult your cell phone or communicate 13 electronically with anybody else during the course 14 of this deposition. Is that understood?</p> <p>15 A. Yes.</p> <p>16 Q. If you need to take a break at any time, 17 you'll be permitted to do that. Just let me know 18 and we'll be happy to take a break. The only 19 exception is between the time I ask a question and 20 the time you answer that particular question. Okay?</p> <p>21 A. Yes.</p> <p>22 Q. All right. Any questions on any of those 23 instructions?</p> <p>24 A. No.</p> <p>25 Q. All right. So would you please state</p>

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<p style="text-align: right;">Page 10</p> <p>1 your full name and spell your last name for the 2 record?</p> <p>3 A. Yes. It's Madalan Gemmill Lennep, 4 L-E-N-N-E-P.</p> <p>5 Q. Where do you work, Ms. Lennep?</p> <p>6 A. I work for Pharos consulting services.</p> <p>7 Q. Is that your business?</p> <p>8 A. It is.</p> <p>9 Q. How long have you had that business?</p> <p>10 A. Since -- under that business name, which 11 is a d/b/a for an S corp, since 1996.</p> <p>12 Q. And what kind of business do you do 13 through Pharos?</p> <p>14 A. Technology consulting and project 15 management.</p> <p>16 Q. In that role you've done work for the 17 Mississippi Secretary of State's office; is that 18 correct?</p> <p>19 A. Yes.</p> <p>20 Q. You've done quite a lot of consulting 21 work for the Secretary of State's office over the 22 years, haven't you?</p> <p>23 A. Yes.</p> <p>24 Q. In fact, you've been referred to as the 25 guru of the SEMS system, haven't you?</p>	<p style="text-align: right;">Page 12</p> <p>1 A. You know, I received a number of 2 subpoenas from -- in relationship to this. So this 3 is the subpoena to appear, yes.</p> <p>4 Q. So this one is titled "Subpoena to 5 Testify At a Deposition in a Civil Action."</p> <p>6 Do you see that, Ms. Lennep?</p> <p>7 A. I do.</p> <p>8 Q. All right. And you understand that to 9 mean this is the subpoena requiring you to testify 10 at the deposition we're taking here today; right?</p> <p>11 A. Yes.</p> <p>12 Q. And you had other subpoenas that were 13 served on you in connection with this matter; right?</p> <p>14 A. That's correct.</p> <p>15 Q. Let me show you another one of those just 16 so we've got it all in front of us.</p> <p>17 MR. LABELLE: I'll ask the concierge to 18 go to -- it's in the same section, it would be 19 Tab 1B.</p> <p>20 EXHIBIT TECH: Please stand by. This is 21 Lennep Exhibit 2. (Exhibit 2 marked for identification.)</p> <p>23 BY MR. LABELLE:</p> <p>24 Q. All right. Ms. Lennep, what we've marked 25 for identification as Exhibit Lennep 2 is</p>
<p style="text-align: right;">Page 11</p> <p>1 A. I've heard that, yes.</p> <p>2 Q. I'm not going to ask you to agree or 3 disagree with it. But that's really why we want to 4 take your deposition today is we have a number of 5 questions for you relating to the SEMS system and 6 the information that was used from the SEMS system 7 as part of the redistricting process. So that is 8 why we are taking your deposition today. You 9 understand you're here today pursuant to a subpoena; 10 is that correct?</p> <p>11 A. Yes.</p> <p>12 MR. LABELLE: I'd ask the concierge to 13 mark as an exhibit for identification what we have 14 at Tab 1A.</p> <p>15 EXHIBIT TECH: Please stand by. This is 16 Lennep Exhibit 1. (Exhibit 1 marked for identification.)</p> <p>18 BY MR. LABELLE:</p> <p>19 Q. So, Ms. Lennep, we have marked as 20 Lennep 1 a copy of the subpoena that was served to 21 you in connection with this matter.</p> <p>22 Do you recognize this document?</p> <p>23 A. Yes.</p> <p>24 Q. Do you agree with me that this is the 25 subpoena that you are testifying under today?</p>	<p style="text-align: right;">Page 13</p> <p>1 plaintiffs' amended notice of deposition subpoena on 2 you. And this is a filing that was made in the 3 court system last week, on December 13.</p> <p>4 Have you ever seen this document before?</p> <p>5 MR. BECKETT: Hey, John, you referenced 6 as Exhibit 2. It's actually exhibit, in our book, 7 1B.</p> <p>8 MR. LABELLE: Yes. Just to be clear, I'm 9 marking the exhibits in order. I'm not going to use 10 the B or the C. I'm just going to mark them all in 11 order. The tabs are for reference.</p> <p>12 MR. BECKETT: Okay.</p> <p>13 BY MR. LABELLE:</p> <p>14 Q. So, Ms. Lennep, do you need that question 15 repeated to you?</p> <p>16 A. I haven't seen this before, no.</p> <p>17 Q. Do you understand that we're here by 18 agreement of the parties to take this deposition of 19 you virtually; correct?</p> <p>20 A. Yes.</p> <p>21 MR. LABELLE: I'd ask the concierge to 22 mark as the next exhibit for identification what's 23 at Tab 1C, the subpoena for documents.</p> <p>24 EXHIBIT TECH: Please stand by. This is 25 Lennep Exhibit 3.</p>

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<p style="text-align: right;">Page 14</p> <p>1 (Exhibit 3 marked for identification.)</p> <p>2 BY MR. LAVELLE:</p> <p>3 Q. Ms. Lennep, we've marked for</p> <p>4 identification, Exhibit 3, Lennep 3, the subpoena to</p> <p>5 produce documents, information or objects or to</p> <p>6 permit inspection if premises in a civil action</p> <p>7 addressed to you in this matter.</p> <p>8 Have you seen this before?</p> <p>9 A. Yes.</p> <p>10 Q. You received this subpoena to produce</p> <p>11 documents; right?</p> <p>12 A. Yes.</p> <p>13 Q. And you've actually produced documents</p> <p>14 pursuant to the subpoena; correct?</p> <p>15 A. Correct.</p> <p>16 Q. Why don't you walk us through the process</p> <p>17 by which you collected records responsive to the</p> <p>18 subpoena.</p> <p>19 A. I went to my email account and I pulled</p> <p>20 the emails that were responsive to the subpoena and</p> <p>21 had them converted over to a file to put on a USB</p> <p>22 drive and electronically through ShareFile with the</p> <p>23 attorney general's office.</p> <p>24 Q. When did you do that?</p> <p>25 A. Last week.</p>	<p style="text-align: right;">Page 16</p> <p>1 A. I do not believe there are because, if</p> <p>2 there were, I would have included those.</p> <p>3 Q. Well, we'll ask you some specific</p> <p>4 questions about some specific areas as we go through</p> <p>5 the deposition today.</p> <p>6 Let me ask you a couple questions generally</p> <p>7 about the consulting work that you do for the</p> <p>8 Department of State. Is that pursuant to a contract</p> <p>9 that Pharos has with the State?</p> <p>10 A. Yes.</p> <p>11 Q. Who is the contract actually between, who</p> <p>12 are the parties to that contract?</p> <p>13 A. It's my company and a company called</p> <p>14 Knowledge Services.</p> <p>15 Q. Contract between Pharos Consulting and a</p> <p>16 company called Knowledge Services; is that correct?</p> <p>17 A. That's correct.</p> <p>18 Q. What is Knowledge Services?</p> <p>19 A. Knowledge Services is a procurement and</p> <p>20 contract management company that has a contract with</p> <p>21 the Department of Information Services that is a</p> <p>22 division of the State Of Mississippi or a department</p> <p>23 of the State Of Mississippi.</p> <p>24 Q. So is Knowledge Services a private</p> <p>25 entity?</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. The documents were produced to us a week</p> <p>2 ago, December 11, 2023. Does that help you remember</p> <p>3 when you actually did the search for the documents</p> <p>4 that were responsive?</p> <p>5 A. Yes. So it was the week before. It was,</p> <p>6 like, the Thursday before. So what was that, the</p> <p>7 7th?</p> <p>8 MR. BECKETT: That would be the 7th.</p> <p>9 That's correct.</p> <p>10 THE WITNESS: Yeah.</p> <p>11 BY MR. LAVELLE:</p> <p>12 Q. So December 7, 2023, is when you would</p> <p>13 have searched your email inbox to find these emails</p> <p>14 that you produced; is that right?</p> <p>15 A. Yes.</p> <p>16 Q. What else did you do other than going</p> <p>17 through your email inbox in order to comply with</p> <p>18 this subpoena?</p> <p>19 A. I just read over the list to identify the</p> <p>20 things that were relative.</p> <p>21 Q. Did you look for any responsive records</p> <p>22 other than emails?</p> <p>23 A. No.</p> <p>24 Q. Do you know whether there are any</p> <p>25 responsive documents other than emails?</p>	<p style="text-align: right;">Page 17</p> <p>1 A. I can't answer that. I don't know.</p> <p>2 Q. Is it part of the state government of</p> <p>3 Mississippi?</p> <p>4 MR. BECKETT: Object to the form.</p> <p>5 BY MR. LAVELLE:</p> <p>6 Q. You can answer.</p> <p>7 MR. BECKETT: You can answer.</p> <p>8 THE WITNESS: I mean, they are a</p> <p>9 contractor with the Department of Information</p> <p>10 Services.</p> <p>11 BY MR. LAVELLE:</p> <p>12 Q. Do you know who the principals are of</p> <p>13 Knowledge Services?</p> <p>14 A. I do not.</p> <p>15 Q. During the entire time that you have done</p> <p>16 contracting work for the Mississippi Secretary of</p> <p>17 State's office, has it been through contracts</p> <p>18 between Pharos and Knowledge Services?</p> <p>19 A. No.</p> <p>20 Q. How has that changed over time?</p> <p>21 A. As my contracts have gone generally</p> <p>22 through the Department of Information Technology,</p> <p>23 whether they had internal procurement and an</p> <p>24 internal general RFP or whether they chose to</p> <p>25 outsource that with a company like Knowledge</p>

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<p style="text-align: right;">Page 18</p> <p>1 Services depends on how those contracts are actually 2 handled.</p> <p>3 Q. So there have been other entities other 4 than Knowledge Services that have been in that 5 position over the course of time; correct?</p> <p>6 A. I've contracted with the Secretary of 7 State's office, with the Department of Information 8 Services, and most recently with Knowledge Services.</p> <p>9 Q. So just to wrap this piece of it up, the 10 work that you have done in connection with the most 11 recent redistricting in the State of Mississippi has 12 been pursuant to a contract between Pharos and 13 Knowledge Services; is that correct?</p> <p>14 A. That's correct.</p> <p>15 Q. The contract, I assume, provides for some 16 compensation for Pharos for the work that you're 17 doing; is that right?</p> <p>18 A. Yes.</p> <p>19 Q. And how is Pharos compensated?</p> <p>20 A. Through an hourly rate. I'm not sure I 21 understand the question.</p> <p>22 Q. So I think I follow you. You do specific 23 tasks, you keep records of your time, and then you 24 submit bills for that time to Knowledge Services; is 25 that right?</p>	<p style="text-align: right;">Page 20</p> <p>1 done in those records?</p> <p>2 A. No.</p> <p>3 Q. It's just hours or minutes; is that 4 correct?</p> <p>5 A. That's correct.</p> <p>6 Q. In your notebook, do you keep notes of 7 what actually you're doing?</p> <p>8 A. Yes.</p> <p>9 Q. All right. Are the notebooks that you 10 use in the course of the work that you perform 11 consulting for the Secretary of State's office in 12 addition to keeping time records?</p> <p>13 A. Yes.</p> <p>14 Q. And what kind of records do you keep or 15 information do you keep in those notebooks?</p> <p>16 A. I keep my hours, the date, individual 17 phone calls, work product information, and then I do 18 provide a summary of that to the Secretary of 19 State's office.</p> <p>20 Q. Tell us more about that summary that you 21 provide to the Secretary of State's office. What 22 does that look like?</p> <p>23 A. It's a spreadsheet that lists the person 24 I talked to, the county of that individual and then 25 the major topic of that call or contact, along with</p>
<p style="text-align: right;">Page 19</p> <p>1 A. That's correct.</p> <p>2 Q. And so you do keep time records of the 3 work that you do; is that right?</p> <p>4 A. That's correct.</p> <p>5 Q. How do you keep your time records?</p> <p>6 A. In a notebook.</p> <p>7 Q. You write it down yourself?</p> <p>8 A. Yes.</p> <p>9 Q. On paper?</p> <p>10 A. Yes.</p> <p>11 Q. And then, from your notebook, what do you 12 do in order to generate records that Knowledge 13 Services can use to provide payment to you?</p> <p>14 A. I enter it into an application called 15 dotStaff where I enter the hours per day.</p> <p>16 Q. All right. So did you look at your 17 notebook or notebooks in connection with the 18 subpoena that was served on you to see if there was 19 any responsive information in them?</p> <p>20 A. No.</p> <p>21 Q. Did you look in your time records to see 22 if there was any responsive information in those?</p> <p>23 A. No. I mean, the time records are 24 literally hours. So it's just not relative.</p> <p>25 Q. You don't describe what you've actually</p>	<p style="text-align: right;">Page 21</p> <p>1 other project management duties.</p> <p>2 Q. Do you recall whether you submitted a 3 spreadsheet or spreadsheets like that to the 4 Secretary of State's office with respect to the work 5 you did on redistricting?</p> <p>6 MR. BECKETT: Object to form.</p> <p>7 THE WITNESS: Specifically with a county 8 or, for instance, when I compile the reports for, 9 for instance, compiling the reports for the 10 subpoena, yes, that would be a line item on my time 11 sheet.</p> <p>12 BY MR. LAVELLE:</p> <p>13 Q. And I take it from your previous answers, 14 you did not check, in the course of collecting 15 records for compliance with the subpoena, whether 16 there were any spreadsheets that you had that 17 contained information that would be responsive to 18 the subpoena; right?</p> <p>19 MR. BECKETT: Object to the form.</p> <p>20 THE WITNESS: The notes I keep are so 21 much more simple than that. I mean, no. I do not 22 write spreadsheets in my notebook. I mean, I 23 don't -- it's very high level just to give me an 24 outline that provides me with the activities for the 25 day.</p>

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<p style="text-align: right;">Page 22</p> <p>1 BY MR. LABELLE:</p> <p>2 Q. Understood. Well, I just want to have an 3 understanding of what other records there might be 4 that are responsive to the subpoena that we haven't 5 yet seen. So it sounds like there may be some notes 6 that you've taken in notebooks; correct?</p> <p>7 MR. BECKETT: Object to form.</p> <p>8 Are you specifically relating to the 2022 9 redistricting? Because every single item in the 10 subpoena is tailored to that.</p> <p>11 MR. LABELLE: Brian, I appreciate the 12 comment, but I'm not taking your deposition. I'm 13 talking to Ms. Lennep.</p> <p>14 MR. BECKETT: I object to the form.</p> <p>15 BY MR. LABELLE:</p> <p>16 Q. Ms. Lennep, do you have an understanding 17 of whether or not there is information responsive to 18 the subpoena in your notes -- in the notebooks?</p> <p>19 A. I don't believe there is.</p> <p>20 Q. But you didn't review those notebooks in 21 order to determine whether or not they had 22 responsive information. That's what you told me 23 earlier; right?</p> <p>24 A. That's correct. I did not go back and 25 look in those notebooks. Because of the information</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. Sure. I will say, Ms. Lennep, the way 2 this works is I ask the questions and you answer 3 them. But I will be happy to show you what I'm 4 specifically talking about. Let's go to the 5 document request, which I believe is page 5, starts 6 page 5 of this document. You're aware that there's 7 an attachment to the subpoena, right, that describes 8 in detail what's requested; right? You've looked at 9 this?</p> <p>10 A. Yes.</p> <p>11 Q. All right. So let's go down to, I think 12 it's page 10 of the PDF. Sorry. Back one page.</p> <p>13 A. Okay.</p> <p>14 Q. Let's look at the first document request. 15 "All documents and communications related to 16 assistance or data provided by the Secretary of 17 State's office to the joint committee during the 18 2022 redistricting process." And then a detailed 19 description of what those are.</p> <p>20 A. Wait. I'm sorry.</p> <p>21 Q. Do you see that?</p> <p>22 A. What page are you looking at?</p> <p>23 Q. Look at page 5 of this document. If you 24 look up on the screen, you can see it. It's the 25 section that's entitled "Document Request." And</p>
<p style="text-align: right;">Page 23</p> <p>1 that is in those notebooks, I did not believe there 2 was anything responsive to your subpoena.</p> <p>3 Q. Okay. Is there any reason that you're 4 aware of today why you wouldn't be able to review 5 those notebooks in order to be able to determine 6 whether they had responsive information to the 7 subpoena?</p> <p>8 A. No.</p> <p>9 Q. They still exist; right? It's not like 10 you've discarded them or that they've disappeared; 11 correct?</p> <p>12 A. They still exist, yes.</p> <p>13 Q. And the same for the spreadsheets that 14 you submit from time to time to the Secretary of 15 State's office, you haven't checked those 16 spreadsheets to see if they have any responsive 17 information to the subpoena; correct?</p> <p>18 A. I guess I would need you to be a little 19 more specific about what you believe is responsive. 20 Because when I read through it, I didn't see any 21 requests that, as I have said before, that I thought 22 would include looking at my daily notes. So can you 23 be a little more specific about --</p> <p>24 Q. Sure.</p> <p>25 A. -- what you're asking for?</p>	<p style="text-align: right;">Page 25</p> <p>1 then there's a numbered series of specific requests 2 for documents.</p> <p>3 A. Okay. So it reads "But not limited to 4 any data, shape files, analysis of voting patterns," 5 that section?</p> <p>6 Q. Yes. So this is the first document 7 request; correct?</p> <p>8 A. "Election data." Right. Yeah. And the 9 only --</p> <p>10 Q. So this is an example of what I'm 11 requesting and -- what we've requested. And all I'm 12 trying to nail down, Ms. Lennep, is: Did you look 13 at your notebooks or the spreadsheets in order to 14 determine whether or not you had documents that were 15 responsive to this request? I think your answers 16 are no, but tell me if I'm misunderstanding.</p> <p>17 MR. BECKETT: Object to the form.</p> <p>18 THE WITNESS: No.</p> <p>19 BY MR. LABELLE:</p> <p>20 Q. Okay. We can address that down the road. 21 And, again, there's no reason that you're aware of 22 that you couldn't review those things as -- the 23 notebooks and the spreadsheets to determine whether 24 or not they have any responsive information; right?</p> <p>25 A. There is no reason why I couldn't.</p>

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<p style="text-align: right;">Page 26</p> <p>1 But --</p> <p>2 Q. You assumed that there was not responsive</p> <p>3 information?</p> <p>4 A. Yes, that's where we started, yes. I</p> <p>5 assumed there was not any relative information. And</p> <p>6 if you could even read it, if you saw what I keep,</p> <p>7 you would have a better understanding of what --</p> <p>8 it's not that detailed. It doesn't have critical</p> <p>9 information in it. It's literally documentation for</p> <p>10 my activities for the day. Like if I pull a report,</p> <p>11 I may say, "Pulled reports on X." But that's very</p> <p>12 seldom.</p> <p>13 Generally it's -- as I said, it's county</p> <p>14 names, county phone numbers and discussion of the</p> <p>15 activity, which would be -- and the majority of the</p> <p>16 work I do is in support of the counties. So very</p> <p>17 little information relative to this request.</p> <p>18 Q. Understood. All right. And I agree with</p> <p>19 you. It would probably be helpful if I just saw</p> <p>20 those records and be able to determine for myself</p> <p>21 whether there's anything responsive or not. But</p> <p>22 we'll take that up after the deposition. I just</p> <p>23 wanted to make sure we had on the record here today</p> <p>24 what the search was that you conducted in order to</p> <p>25 comply with the subpoena.</p>	<p style="text-align: right;">Page 28</p> <p>1 out your deposition was going to be taken; is that</p> <p>2 correct?</p> <p>3 A. Yes.</p> <p>4 Q. All right. Who's representing you at the</p> <p>5 deposition today?</p> <p>6 A. Ryan.</p> <p>7 Q. And when was it determined that Ryan was</p> <p>8 going to represent you at your deposition?</p> <p>9 A. Probably -- it was after I received this</p> <p>10 deposition -- I mean the subpoena. And so probably,</p> <p>11 let's say, three weeks ago.</p> <p>12 Q. All right. Who is paying for Ryan's time</p> <p>13 to represent you today, do you know?</p> <p>14 A. I don't know.</p> <p>15 Q. Are you being compensated for your time</p> <p>16 testifying here today?</p> <p>17 A. Through my work with the Secretary of</p> <p>18 State's office, yes.</p> <p>19 Q. So you expect that you'll be submitting</p> <p>20 records in that format that we talked about earlier</p> <p>21 to the Secretary of State's office to -- actually to</p> <p>22 Knowledge Services and requesting reimbursement for</p> <p>23 your time; correct?</p> <p>24 A. That's correct.</p> <p>25 Q. What is your current hourly rate?</p>
<p style="text-align: right;">Page 27</p> <p>1 Are there any other records that you</p> <p>2 maintain in the course of the work that you do at</p> <p>3 Pharos, other than ones we've already talked about,</p> <p>4 that you did not look at in order to determine</p> <p>5 whether or not they had information responsive to</p> <p>6 the subpoena?</p> <p>7 A. No.</p> <p>8 Q. All right. We can take that exhibit down</p> <p>9 now.</p> <p>10 All right. Ms. Lennep, when did you first</p> <p>11 find out that your deposition was being taken in</p> <p>12 this matter?</p> <p>13 A. Several weeks ago.</p> <p>14 Q. We're sitting here on December 18, 2023;</p> <p>15 correct?</p> <p>16 A. That's correct.</p> <p>17 Q. So within the last month or so you found</p> <p>18 out your deposition had been requested?</p> <p>19 A. Honestly, it was a little confusing</p> <p>20 because I got so many different subpoenas, but it</p> <p>21 looks like the one where I'm commanded to appear was</p> <p>22 dated by your team on 11/20. So that would be</p> <p>23 within the last month or so.</p> <p>24 Q. So about the timing of that, that</p> <p>25 November 20th would have been when you first found</p>	<p style="text-align: right;">Page 29</p> <p>1 A. \$83 an hour.</p> <p>2 Q. Do you change that rate for testifying at</p> <p>3 depositions as opposed to other work that you do?</p> <p>4 A. It's a flat rate that -- it's the only</p> <p>5 rate that's in the contract.</p> <p>6 Q. So did you have a chance to prepare for</p> <p>7 your deposition by speaking with anyone?</p> <p>8 A. Yes.</p> <p>9 Q. I don't want to know about the substance</p> <p>10 of any discussions that you had with counsel, but I</p> <p>11 am entitled to find out who you met with. So can</p> <p>12 you give me the names of the people you met with in</p> <p>13 order to prepare for your deposition?</p> <p>14 A. Yes, Ryan and Rex and Leigh. So the</p> <p>15 attorneys that are with us in the room today.</p> <p>16 Q. Rex is the counsel from the attorney</p> <p>17 general's office; correct?</p> <p>18 A. Yes, Rex Shannon.</p> <p>19 Q. And Leigh is the counsel from the</p> <p>20 Secretary of State's office; is that correct?</p> <p>21 A. That's correct.</p> <p>22 Q. Anybody else you met with in addition to</p> <p>23 Ryan, Rex and Leigh to prepare for your deposition?</p> <p>24 A. Doug Miracle, who was also with the</p> <p>25 attorney general's office was also in the room with</p>

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<p>1 us.</p> <p>2 Q. Okay. There's a counsel who's on the 3 call today named Mike Wallace. Do you know 4 Mr. Wallace?</p> <p>5 A. I do.</p> <p>6 Q. Did Mr. Wallace participate in any of 7 your prep sessions?</p> <p>8 A. No, he did not.</p> <p>9 Q. Did you have anyone participating by 10 telephone or by video in your prep sessions in 11 addition to people who were there in person with 12 you?</p> <p>13 A. No.</p> <p>14 Q. Did you speak with anybody other than 15 counsel in order to prepare for your deposition?</p> <p>16 A. No.</p> <p>17 Q. How many prep sessions did you have for 18 your deposition?</p> <p>19 A. One.</p> <p>20 Q. When was that?</p> <p>21 A. On Friday -- Thursday. Sorry. Thursday 22 afternoon.</p> <p>23 Q. Today is Monday, December 18, 2023. We 24 established that earlier; right?</p> <p>25 A. Yes.</p>	<p>Page 30</p> <p>1 THE WITNESS: I understand that I 2 provided historical information from SEMS but not 3 related to drawing of the lines or the census data.</p> <p>4 BY MR. LAVELLE:</p> <p>5 Q. You yourself, Ms. Lennep, were not 6 involved in drawing lines; is that correct?</p> <p>7 A. That's correct.</p> <p>8 Q. You were not given the opportunity to 9 review any proposed maps; is that right?</p> <p>10 A. That's correct.</p> <p>11 Q. You were not asked for any input on any 12 proposed maps?</p> <p>13 A. That's correct.</p> <p>14 Q. And you don't have any opinion, as we sit 15 here today, as to whether or not the maps that were 16 drawn were appropriately drawn or inappropriately 17 drawn; is that correct?</p> <p>18 MR. BECKETT: Object to the form.</p> <p>19 You can answer.</p> <p>20 THE WITNESS: That's correct. I do not 21 have an opinion.</p> <p>22 BY MR. LAVELLE:</p> <p>23 Q. And as we sit here today, you don't 24 expect to be testifying at trial on behalf of the 25 Secretary of State's office or the State of</p>
<p>Page 31</p> <p>1 Q. So that would have been on Thursday, 2 December 14, 2023, you met with counsel to prepare 3 for the deposition?</p> <p>4 A. Yes.</p> <p>5 Q. How long was the meeting?</p> <p>6 A. About an hour and a half.</p> <p>7 Q. Did you review any documents in order to 8 prepare for your deposition?</p> <p>9 A. No.</p> <p>10 Q. Anyone else you speak to, other than 11 people we've already mentioned, in order to prepare 12 for your deposition?</p> <p>13 A. No.</p> <p>14 Q. What do you understand this lawsuit to be 15 about?</p> <p>16 MR. BECKETT: Object to the form.</p> <p>17 THE WITNESS: The lines that were drawn 18 for the legislative districts based on the census 19 information.</p> <p>20 BY MR. LAVELLE:</p> <p>21 Q. And you understand that you provided 22 information to the Secretary of State's office and 23 to certain state officials in connection with the 24 redistricting process; correct?</p> <p>25 MR. BECKETT: Object to the form.</p>	<p>Page 33</p> <p>1 Mississippi in support of the proposed maps, do you?</p> <p>2 A. No.</p> <p>3 Q. All right. Let's get a little bit more 4 background information about your experience, 5 Ms. Lennep, if you wouldn't mind. Are you familiar 6 with a website called LinkedIn?</p> <p>7 A. Yes.</p> <p>8 Q. What is LinkedIn?</p> <p>9 A. It's a social media platform, primarily 10 for business.</p> <p>11 Q. And you use LinkedIn; is that correct?</p> <p>12 A. I have an account on LinkedIn, yes, I do.</p> <p>13 Q. Like many professionals, you've prepared 14 a profile of yourself in order to present your 15 experience and credentials to the world out there; 16 correct?</p> <p>17 A. Yes, correct.</p> <p>18 Q. All right. Let's go to the next exhibit.</p> <p>19 MR. LAVELLE: I'd ask the concierge to 20 mark as the next exhibit for identification what is 21 at Tab 3.</p> <p>22 EXHIBIT TECH: Please stand by. This is 23 Lennep Exhibit 4. (Exhibit 4 marked for identification.)</p> <p>25 BY MR. LAVELLE:</p>

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<p style="text-align: right;">Page 34</p> <p>1 Q. All right. Ms. Lennep, what we marked as 2 Exhibit 4, Lennep 4, is a printout that we generated 3 from LinkedIn of your profile. I can tell you that 4 we did have some printing problems. So the physical 5 copy that is there with you may not be the best 6 copy. I think we did correct that in what we have 7 in the electronic file.</p> <p>8 MR. BECKETT: Let's look at the screen. 9 He's saying that it's corrected.</p> <p>10 BY MR. LAVELLE:</p> <p>11 Q. Right. So what I'd like to suggest is 12 maybe first if you can take a look at it, you can 13 scroll through the whole thing if you want to, but I 14 want to know whether you can identify whether or not 15 this is your LinkedIn profile.</p> <p>16 A. Yes, it appears to be my LinkedIn 17 profile.</p> <p>18 MR. BECKETT: How many pages is it? I 19 can't see it. Pardon me. I don't mean to 20 interrupt.</p> <p>21 THE WITNESS: It's four.</p> <p>22 MR. BECKETT: It's four pages?</p> <p>23 MR. LAVELLE: Yeah.</p> <p>24 BY MR. LAVELLE:</p> <p>25 Q. And you prepared this profile,</p>	<p style="text-align: right;">Page 36</p> <p>1 accounting.</p> <p>2 Q. And where is the associate's degree from, 3 which school?</p> <p>4 A. The Mississippi Gulf Coast Junior College 5 is what it was called at the time.</p> <p>6 Q. Does it have a different name now?</p> <p>7 A. I think nobody calls it junior college 8 anymore. They call it community college. But it's 9 the same thing.</p> <p>10 Q. Now, your current area of expertise is 11 project management and technology. Would you agree 12 with me?</p> <p>13 A. Yes.</p> <p>14 Q. Did you have any formal education in that 15 area or have you learned all of your expertise in 16 the course of your professional career?</p> <p>17 A. The -- my technology career started as an 18 offshoot of my accounting experience. So the first 19 company that I worked for that was computer based, 20 we actually sold and supported a billing system for 21 hospitals. So it grew out of the accounting. Back 22 in the '80s, most everybody bought computers 23 specifically for accounting. So that's where it 24 started.</p> <p>25 Since then, I've also passed -- taken and</p>
<p style="text-align: right;">Page 35</p> <p>1 Ms. Lennep?</p> <p>2 A. Yes.</p> <p>3 Q. Do you maintain it from time to time, 4 update it as necessary?</p> <p>5 A. I don't think I've updated it in the past 6 probably four to five years. I don't know. It's 7 not something that I actively manage, no.</p> <p>8 Q. When you prepared it, you provided what 9 you believed to be accurate information; correct?</p> <p>10 A. Yes.</p> <p>11 Q. We'll go over a couple specific things in 12 here. I think it's just easier to go over your 13 background with something in front of us to guide 14 the discussion so that's why we pulled this up. And 15 if you wouldn't mind going down to your education 16 section of this, I think it's on the third page. 17 Let's start there.</p> <p>18 A. Yes.</p> <p>19 Q. All right. So there are two entries 20 under education. Tell us about your education as 21 identified here in your LinkedIn profile?</p> <p>22 A. I took classes at the University of 23 Southern Mississippi in the '84-'85 time frame, and 24 I attended Mississippi Gulf Coast Junior College and 25 have an associate's degree in general business and</p>	<p style="text-align: right;">Page 37</p> <p>1 have been certified as a project management 2 professional, which is an international 3 certification that provides for strategies and 4 education in the world of project management, 5 specifically in technology. Although there are 6 other aspects of it as well.</p> <p>7 Q. When did you become a certified project 8 management professional?</p> <p>9 A. Maybe 2009. It's been a while.</p> <p>10 Q. Understood. And obviously I'm going to 11 be asking you questions, especially in this part of 12 the deposition, that go back a while. Obviously we 13 just want the best of your recollection. That is 14 fine.</p> <p>15 Can you describe for us briefly what the 16 process is in order to become a certified project 17 management professional?</p> <p>18 A. Yes. You attend a course, and then there 19 is a four-hour monitored exam that you have to pass 20 in order to receive the certification.</p> <p>21 Q. Is there any continuing certification 22 requirements such as education or retesting?</p> <p>23 A. Not retesting, but certainly, yes, 24 education. To maintain your certification, you have 25 to obtain a certain number of, they call it, instead</p>

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<p style="text-align: right;">Page 38</p> <p>1 of CL it's PL units, so project management learning 2 units in order to maintain the certification.</p> <p>3 Q. Now, scrolling backwards or up in the 4 LinkedIn profile, we now get to the information 5 about your professional history. And the first 6 entry that you have there is as senior account 7 representative for Wang Laboratories; is that right?</p> <p>8 A. That's correct.</p> <p>9 Q. So tell us about the work that you did at 10 Wang Laboratories as a senior account 11 representative. What did you do there?</p> <p>12 A. Development of sales plans and project 13 management for solution software and hardware 14 products, including the Wang product line and IBM 15 AS/400, RS/6000 and PCs.</p> <p>16 Q. Now, this work was done during 1985 17 through 1992, according to your LinkedIn profile; is 18 that right?</p> <p>19 A. That's correct.</p> <p>20 Q. I assume that this predates the 21 development of the current SEMS system?</p> <p>22 A. Yes.</p> <p>23 Q. Was this a precursor to that system that 24 you were working on, or were you working on 25 nonelection projects?</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. You worked at Data General for a period 2 of approximately four years, is that right, through 3 1996?</p> <p>4 A. That's correct.</p> <p>5 Q. Did you do any work relating to voting 6 records or elections for the State of Mississippi 7 while you were at Data General?</p> <p>8 A. No.</p> <p>9 Q. Scrolling upwards in your LinkedIn 10 profile, we now get to the current work that you're 11 doing. And all of these next entries are under the 12 general title of Pharos Consulting Services; right?</p> <p>13 A. Yes.</p> <p>14 MR. BECKETT: Can we scroll up? She 15 can't see that.</p> <p>16 MR. LAVELLE: That's fine. Let's go up 17 to the top of that page.</p> <p>18 MR. BECKETT: Okay. There. Thank you.</p> <p>19 BY MR. LAVELLE:</p> <p>20 Q. So Pharos Consulting Services you started 21 in 1996; is that right?</p> <p>22 A. Yes.</p> <p>23 Q. Why did you decide to open your own 24 consulting service at that time?</p> <p>25 A. I had a baby, and the travel, when you're</p>
<p style="text-align: right;">Page 39</p> <p>1 A. Nonelection projects.</p> <p>2 Q. But generally speaking, what was the type 3 of work that you were doing for the State of 4 Mississippi when you were working at Wang?</p> <p>5 A. I had some state department accounts, for 6 instance, Secretary of State was -- no, actually 7 they were a prospect at that time, I didn't actually 8 sell them an imaging system until Data General. But 9 the Department of Health, we had the system that 10 supported vital records. I had federal government 11 accounts like the naval air base in Pensacola. I 12 had commercial accounts like LDDS, which became 13 WorldCom, and MCCA, which became SkyTel.</p> <p>14 So, I mean, we were selling hardware and 15 software solutions to both commercial and 16 governmental accounts. Had nothing to do with 17 elections or the Secretary of State at that point.</p> <p>18 Q. And then you left Wang Laboratories in 19 1992 and moved to Data General; is that right?</p> <p>20 A. That's correct.</p> <p>21 Q. And describe for us the type of work that 22 you did at Data General. Was it similar to what you 23 did at Wang or did it have a different focus?</p> <p>24 A. No, it was basically exactly the same, 25 just different products and software.</p>	<p style="text-align: right;">Page 41</p> <p>1 covering a three-state area with a major computer 2 company at that time, was more than I wanted to deal 3 with. And so I decided to resign from that career 4 and started doing independent consulting.</p> <p>5 Q. You have three different categories or 6 titles of information here of the different type of 7 work you do at Pharos. Maybe we can read them from 8 the bottom to the top. I see the one that's here 9 first is president/senior consultant. Maybe if 10 you'd just explain to us generally how you intended 11 to organize this. Why did you describe certain 12 types of work under that category as opposed to the 13 other two categories that you have here?</p> <p>14 MR. BECKETT: Object to the form.</p> <p>15 THE WITNESS: Yeah. I'm sorry. Can you 16 scroll up to the top again?</p> <p>17 BY MR. LAVELLE:</p> <p>18 Q. Sure. Take your time and look at this. 19 I know you may not have looked at this recently. I 20 want to make sure you've had a chance to review the 21 whole page.</p> <p>22 A. I'm trying to see if there's...</p> <p>23 MR. BECKETT: It looks different on the 24 screen. So you can put the paper aside.</p> <p>25 BY MR. LAVELLE:</p>

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<p>1 Q. Right. We had a problem with the 2 printout. I'll just explain to you, the printout 3 for some reason did not include all of the 4 information that you have here. So that's why we 5 put the full information in the electronic version. 6 So I apologize for the printing error.</p> <p>7 A. Okay. It was just a way in my mind to 8 break down the different activities by either -- 9 yeah, the finance company was a newer project. So 10 it looks like probably around February 2020 was 11 probably the last time this was updated.</p> <p>12 So -- and then the work with Secretary of 13 State is to have a project management consultant. 14 And then just general commercial is that third -- is 15 that third area. So information on what -- what 16 else, outside of those two very specific 17 opportunities, I have a skill set for. I mean, I 18 looked at LinkedIn as kind of a marketing piece.</p> <p>19 Q. Right. So the top entry here, the 20 program manager -- I'm sorry -- for 21 Southeastern-based finance company, that's obviously 22 not related to the work you do for the Secretary of 23 State's office; correct?</p> <p>24 A. That's correct.</p> <p>25 Q. A different project all together. The</p>	<p>Page 42</p> <p>1 Q. That's accurate; right? 2 A. Yes. 3 Q. So a follow-up question, did you start 4 doing work on election or voting record projects for 5 the Secretary of State's office prior to 2003, or 6 was 2003 when that work first started? 7 A. No, prior to 2003. 8 Q. What kind of work did you do in election 9 or voting records prior to 2003? 10 A. Prior to HAVA, the Secretary of State's 11 responsibility with election was mainly just the 12 gathering of reports from the counties. So I worked 13 on a reporting -- an election reporting system where 14 we took the information the counties provided and 15 entered into a database. 16 Q. And with the passage of HAVA in 2002, 17 there were some changes that were made to the way 18 that the records were kept; is that right? 19 A. That's correct. 20 Q. How would you describe what the changes 21 had to be made in order to comply with the new law 22 that was passed in 2002? 23 A. Well, there had to be a statewide voter 24 registration system implemented. The State had to 25 replace any punch card lever machines. There were a</p>
<p>1 second entry that you have here is HAVA project 2 manager/consultant. HAVA is Help America Votes Act; 3 is that correct? 4 A. That's correct. 5 Q. So this second bullet point, the HAVA 6 project manager/consultant, captures the work that 7 you've done for the Secretary of State's office and 8 for counties in the state of Mississippi; correct? 9 A. Yes. 10 Q. All right. And then third bullet that 11 you have there, president/senior consultant, is a 12 general description of the various types of work 13 that you have done for all of your consulting 14 clients; correct? 15 A. That's correct. 16 Q. All right. So let's focus in. I want to 17 ask you a few follow-up questions about the HAVA 18 project manager/consultant entry that you have here. 19 You write "Since 2003, I provided project management 20 and consulting for the purchase, implementation, and 21 ongoing support of two statewide projects to 22 implement the federal HAVA legislation passed by 23 Congress in 2002." 24 Did I read that correctly? 25 A. Yes.</p>	<p>Page 43</p> <p>Page 45</p> <p>1 number of requirements, as part of HAVA, to receive 2 the federal funds that were used to implement these 3 systems. 4 Q. And you described these two projects, the 5 first one is the statewide voter registration 6 system; correct? 7 A. Yes. 8 Q. Is that another term for the SEMS system 9 or is it something different? 10 A. No, that is SEMS. 11 Q. So SEMS stand for statewide election 12 management system; is that right? 13 A. That's correct. 14 Q. And that's the formal title that you use 15 and that other folks use in Mississippi to refer to 16 Mississippi's statewide voter registration system; 17 is that right? 18 A. That's correct. 19 Q. And then the other related project that 20 you worked on was the statewide voting machine 21 system project? 22 A. That's correct. 23 Q. And that project related to the rollout 24 of HAVA-compliant voting machines throughout the 25 state?</p>

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<p>1 A. That's correct.</p> <p>2 MR. BECKETT: Hey, John, in the next five 3 or ten minutes, if you get to a natural stopping 4 point, we might want to take a small break.</p> <p>5 MR. LAVELLE: This is a good time because 6 we're going to move to a different document, 7 different topic. So now would be a good time to 8 take a break.</p> <p>9 THE VIDEOGRAPHER: The time is 10:14 a.m. 10 We're off the record.</p> <p>11 (Off the record)</p> <p>12 THE VIDEOGRAPHER: We're back on the 13 record. The time is 10:26 a.m.</p> <p>14 BY MR. LAVELLE:</p> <p>15 Q. All right. Ms. Lennep, we're going to 16 move to another document here. We printed out a 17 page from another website. Do you maintain a 18 website for your business, for Pharos?</p> <p>19 A. Yes.</p> <p>20 MR. LAVELLE: All right. Let's mark as 21 the next exhibit for identification what's at Tab 4. 22 I'll ask the concierge to mark that as the next 23 exhibit.</p> <p>24 EXHIBIT TECH: Please stand by. This is 25 Lennep Exhibit 5.</p>	<p>Page 46</p> <p>1 Q. And it's accurate today to the best of 2 your knowledge; right?</p> <p>3 A. Without reading over it because, 4 obviously, I mean, again, I don't constantly update 5 this information.</p> <p>6 Q. Let's just walk through it to make sure 7 that we --</p> <p>8 A. The copyright on this was 2018.</p> <p>9 Q. So --</p> <p>10 A. If you look down at the bottom.</p> <p>11 Q. I don't want to shortchange this. I just 12 want to make sure we had a record of this. I am 13 trying to use records that you've prepared because I 14 thought it would be the quickest way to establish 15 it. So you write here "Madalan Lennep, PMP, is 16 owner and lead consultant of Pharos"; right?</p> <p>17 A. Yes.</p> <p>18 Q. And that's accurate; correct?</p> <p>19 A. That's correct.</p> <p>20 Q. Can you read for us the next sentence 21 that is written there?</p> <p>22 A. "She began her work in election 23 consulting in 1996 with the Mississippi Secretary of 24 State's office." And that's when we implemented the 25 election reporting system I told you about earlier.</p>
<p>1 (Exhibit 5 marked for identification.)</p> <p>2 BY MR. LAVELLE:</p> <p>3 Q. All right. Ms. Lennep, do you recognize 4 what we've marked for identification as Exhibit 5?</p> <p>5 A. Yes.</p> <p>6 Q. What is it?</p> <p>7 A. It's a page from the website.</p> <p>8 Q. Page from the website for your business, 9 Pharos Consulting; correct?</p> <p>10 A. Yes.</p> <p>11 Q. And specifically the portion of the 12 website that has a description called "About Our 13 Consultants" that describes you and your 14 professional background; correct?</p> <p>15 A. Correct.</p> <p>16 Q. And the information is all --</p> <p>17 A. Look, it says in 2009. I was right on 18 the PMP.</p> <p>19 Q. All right. So we've got confirmation.</p> <p>20 Well, let me ask you a couple of questions.</p> <p>21 Ms. Lennep, you prepared this description; right?</p> <p>22 A. Yes.</p> <p>23 Q. And you understood it to be accurate at 24 the time you prepared it; correct?</p> <p>25 A. Yes.</p>	<p>Page 47</p> <p>1 Q. And that statement is correct, right, 2 accurate?</p> <p>3 A. That is correct.</p> <p>4 Q. All right. Please read for us the next 5 sentence you wrote there. Starting with "Since 6 2003."</p> <p>7 A. "She has provided consulting for the 8 purchase, implementation and ongoing support of two 9 statewide election projects totalling over 10 \$50 million; the statewide voting machine system and 11 statewide election management system" --</p> <p>12 (Court reporter clarification.)</p> <p>13 BY MR. LAVELLE:</p> <p>14 Q. I'm sorry. That statement is accurate; 15 correct?</p> <p>16 A. Yes.</p> <p>17 Q. All right. I'll read the next one just 18 to give you a little bit of a break. The next 19 sentence that you wrote here is "In both of these 20 projects, she provided consulting including the 21 development of specifications, the evaluation of 22 proposals, contract negotiation, software analysis 23 and customization, hardware implementation, quality 24 assurance and testing, monitor and control of 25 deliverables, risk management, training</p>

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<p style="text-align: right;">Page 50</p> <p>1 documentation and conducting training, voter 2 outreach education, database coding and election 3 support."</p> <p>4 Did I read that correctly?</p> <p>5 A. Yes.</p> <p>6 Q. And all of that is accurate; correct?</p> <p>7 A. Yes.</p> <p>8 Q. All right. So this has been a 9 substantial part of your professional life, hasn't 10 it, doing this work supporting the Secretary of 11 State's office?</p> <p>12 MR. BECKETT: Object to form.</p> <p>13 You can answer.</p> <p>14 THE WITNESS: It has -- depending on the 15 time and the work that needs to be done, it has been 16 a considerable portion, although not a full-time 17 relationship.</p> <p>18 BY MR. LAVELLE:</p> <p>19 Q. You have other clients you do work for in 20 addition to the Secretary of State's office, in 21 other words?</p> <p>22 A. Yes.</p> <p>23 Q. Do you have anybody else who works for 24 you at Pharos on the projects you work on for the 25 Secretary of State's office?</p>	<p style="text-align: right;">Page 52</p> <p>1 you've made in there that will be helpful in terms 2 of making a record of what your background and 3 knowledge is, and hopefully it will speed up the 4 deposition here today.</p> <p>5 A. Okay.</p> <p>6 Q. So let's look, first, at what is in your 7 tab at 5A.</p> <p>8 MR. LAVELLE: And let's mark that for 9 identification, Ms. Concierge, as the next exhibit.</p> <p>10 It's the declaration in a case called True the Vote 11 et al., versus the Honorable Delbert Hosemann. I'm 12 sorry if I'm mispronouncing his name.</p> <p>13 THE WITNESS: No that's correct.</p> <p>14 EXHIBIT TECH: That will be Exhibit 6. (Exhibit 6 marked for identification.)</p> <p>15 BY MR. LAVELLE:</p> <p>16 Q. All right. So we have in front of you, 17 Ms. Lennep, and we've marked for identification, 18 Exhibit 6, a declaration of Madalan Lennep in that 19 case, True the Vote versus the Honorable Delbert 20 Hosemann.</p> <p>21 Do you recognize this?</p> <p>22 A. Yes. I mean, I remember this case, yes.</p> <p>23 Q. Is this your declaration that you 24 provided to the court in that case?</p>
<p style="text-align: right;">Page 51</p> <p>1 A. I have contractors. I'm the only 2 employee.</p> <p>3 Q. And what kind of work do those 4 contractors do in connection with your projects for 5 the Secretary of State's office?</p> <p>6 A. They don't do any work with the Secretary 7 of State's office at all.</p> <p>8 Q. That's all you; is that right?</p> <p>9 A. That's all me.</p> <p>10 Q. So when we look a little later at the 11 requests that you receive from individuals in 12 connection with redistricting, those would have all 13 been handled by you individually and not been anyone 14 else at Pharos; is that right?</p> <p>15 MR. BECKETT: Object to the form.</p> <p>16 THE WITNESS: Yes, that's correct.</p> <p>17 BY MR. LAVELLE:</p> <p>18 Q. All right. We're finished with that 19 exhibit.</p> <p>20 You have provided some written declarations 21 in connection with litigation from time to time for 22 the Secretary of State's office, haven't you?</p> <p>23 A. I have.</p> <p>24 Q. I want to show you a couple of those 25 because I think that there are some statements that</p>	<p style="text-align: right;">Page 53</p> <p>1 A. I'm sure it is. I signed it in 2014, so 2 ten years ago, yes.</p> <p>3 Q. So looking at the last page, do you see 4 at the bottom, there's a signature?</p> <p>5 A. Yes.</p> <p>6 Q. Is that your signature?</p> <p>7 A. Yes.</p> <p>8 Q. And right above the signature, you state 9 "I declare, under penalty of perjury, that the 10 foregoing is true and correct, executed on 11 August 14, 2014"; correct?</p> <p>12 A. Correct.</p> <p>13 Q. So does looking at this help you recall 14 that this is the declaration that you executed in 15 this case, True the Vote, plaintiffs, versus the 16 Honorable Delbert Hosemann?</p> <p>17 A. Yes. Like I said, yes, I signed it ten 18 years ago, yes.</p> <p>19 Q. All right. And when you signed it, you 20 understood and believed everything that was in here 21 to be accurate to the best of your knowledge; 22 correct?</p> <p>23 A. Of course.</p> <p>24 Q. Yes. All right. So let's go over a 25 couple of the things that you said in here just so</p>

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<p style="text-align: right;">Page 54</p> <p>1 we've got a record of it. Let's go to paragraph 2.      2 Can you read for us what you wrote in paragraph 2?      3 A. "I'm a Mississippi voter and employed by      4 Pharos Consulting Services as a certified project      5 management professional and elections consultant.      6 In that capacity, I began working with the Secretary      7 of State's office, elections division staff, in 2003      8 on selection, implementation and installation of the      9 statewide election management system, SEMS, the      10 statewide voting machine system and other election      11 related projects. I currently work closely with the      12 elections division staff to provide support and      13 project assistance for those programs."</p> <p>14 Q. And that was accurate at the time you      15 signed this; correct?</p> <p>16 A. Correct.</p> <p>17 Q. Can you read for us what you wrote in      18 paragraph 3 of this declaration, please?</p> <p>19 A. "SEMS is a statewide election management      20 system used by all 82 counties for voter      21 registration, election management and other voter      22 roll-related activities."</p> <p>23 Q. And then the first sentence of the next      24 paragraph, paragraph 4?</p> <p>25 A. "SEMS is designed so that voter</p>	<p style="text-align: right;">Page 56</p> <p>1 there has been a trigger that they no longer live      2 where they are registered. So they can go to a      3 voting place, and if they go to the correct voting      4 place, they can cast an affidavit or provisional      5 ballot and have that ballot counted, assuming that      6 they meet all of the legal requirements for voting.      7 Q. What would cause a voter to be put on the      8 inactive voter list?</p> <p>9 A. That's actually covered in the National      10 Voting Rights Act. We call it a trigger. It is an      11 indication that they no longer live where they are      12 registered. So that could be a returned jury      13 summons, a returned voter registration card.      14 Generally it's mail – returned mail related. And      15 it is the trigger that provides an opportunity to      16 put them on the inactive list so that, when they      17 vote provisional ballot, the election officials get      18 updated information so that they can make sure they      19 are placed in the right precinct and are receiving      20 the correct ballot when they vote.</p> <p>21 Q. There is a periodic updating of the voter      22 registration records to reflect, for example,      23 reported deaths of individuals; correct?</p> <p>24 A. That's correct.</p> <p>25 Q. How is that updating done in Mississippi?</p>
<p style="text-align: right;">Page 55</p> <p>1 registration records are maintained in a manner that      2 complies with state and federal law, including the      3 National Voting Rights Act, NVRA."</p> <p>4 Just the first sentence, that's it; right?</p> <p>5 Q. Yes, let's stop there.</p> <p>6 And that's accurate in terms of the design      7 of SEMS; right?</p> <p>8 A. Yes.</p> <p>9 Q. Can you read for us the next sentence,      10 please?</p> <p>11 A. "A voter roll includes a list of all      12 registered voters, both active and inactive voters,      13 in a county and contains the voter's name, address,      14 date of registration, precinct, voting districts and      15 voting history."</p> <p>16 Q. Now, you're referring to a voter roll      17 here. A voter roll is a record that is used at an      18 individual polling place with respect to an election      19 that's being conducted; is that right?</p> <p>20 A. The voting roll is a list of all the      21 active and inactive voters.</p> <p>22 Q. What is the difference between an active      23 and inactive voter in Mississippi?</p> <p>24 A. An active voter has full voting rights      25 under NVRA. An inactive voter is an individual who</p>	<p style="text-align: right;">Page 57</p> <p>1 A. We have an electronic interface with the      2 Department of Health, vital records division. They      3 send us a report, and we load that information into      4 SEMS so that the local election officials can review      5 it and, if they determine a match with that      6 information, then they can purge that voter.</p> <p>7 Q. So if a voter is identified as a      8 deceased, is that voter moved to inactive status or      9 is that voter's record removed entirely?</p> <p>10 A. No. Inactive status is only in      11 relationship to the National Voting Rights Act. So      12 you wouldn't make a deceased individual inactive.      13 Again inactivity is -- and it's a little confusing,      14 but it's the way the federal law was written.      15 Inactive means that we don't know where you live      16 anymore, basically. So that would not apply to a      17 deceased voter.</p> <p>18 Q. If the voter votes by provisional ballot      19 and that ballot is counted, does that voter get      20 restored to active status?</p> <p>21 A. Yes.</p> <p>22 Q. And how is that accomplished?</p> <p>23 A. Well, the information that's on the      24 affidavit envelope, which includes, under that      25 affidavit, their current address. So the voter</p>

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<p style="text-align: right;">Page 58</p> <p>1 registration record in SEMS is updated with the 2 current address, and the election officials in the 3 county returns that status of the voter to active. 4 Q. Does the SEMS system record whether or 5 not an individual voter has attempted to vote by 6 provisional ballot in a particular election? 7 A. It has the capability to record that, 8 yes. 9 Q. Do you know whether, as a matter of 10 practice, that is recorded -- 11 A. Yes. 12 Q. -- as a record that is kept and 13 maintained? 14 A. We certainly encourage that. But that 15 action and activity is up to the local election 16 officials. 17 Q. And by "local," you mean county by 18 county? 19 A. Exactly, yes. Mississippi is what we 20 call a bottom-up state. All of the power for the 21 election is at the county level. 22 Q. So the information of whether or not 23 someone has voted by provisional ballot, it would be 24 up to the individual county as to whether or not 25 they recorded that?</p>	<p style="text-align: right;">Page 60</p> <p>1 Do you recognize this? 2 A. Yes. 3 MR. LAVELLE: All right. Turn to the 4 third page of this document. Scroll down to the 5 bottom a little bit there. 6 BY MR. LAVELLE: 7 Q. And do you see there's a signature that 8 appears above your name. Is that your signature? 9 Take your time. Just let me know when 10 you've got it in front of you and can answer 11 questions about it. 12 A. Yes, that is my signature. 13 Q. And you signed it on the fourth day of 14 December 2018; correct? 15 A. Yes. 16 Q. And your signature, as you can see on the 17 next page, was notarized; right? 18 A. Yes. 19 Q. And this is an affidavit that you 20 submitted under oath in the case of Thomas versus 21 Bryant; correct? 22 A. Correct. 23 Q. And everything that you stated here was 24 truthful and accurate to the best of your ability; 25 isn't that right?</p>
<p style="text-align: right;">Page 59</p> <p>1 A. That is correct. 2 Q. I think we're finished with this 3 document. 4 MR. LAVELLE: Let's now mark for 5 identification what is at 5B of the book. Mark that 6 as the next exhibit. 7 EXHIBIT TECH: This is Exhibit 7. 8 (Exhibit 7 marked for identification.) 9 BY MR. LAVELLE: 10 Q. So, Ms. Lennep, I've marked for 11 identification as Exhibit 7, a motion package that 12 was filed in a case that was filed in federal court. 13 The case was called Thomas versus Bryant. You're 14 certainly welcome to look at the whole thing, but 15 what I want to ask you questions about is what's 16 marked as Exhibit B to this motion. It's an 17 affidavit of yours. 18 Let me know when you've had a chance to 19 look at that and are ready to answer questions about 20 it. 21 A. Okay. 22 Q. All right. So, Ms. Lennep, we are now at 23 the portion of this exhibit that is identified 24 within it as Exhibit B. It is an affidavit that you 25 provided.</p>	<p style="text-align: right;">Page 61</p> <p>1 A. Yes. 2 Q. Let's turn to paragraph 3 of this 3 document where there's a detailed description of the 4 SEMS system that I want to just go over with you and 5 make sure that you agree with it, that it's an 6 accurate description. 7 So the first sentence here is "SEMS, using 8 Hewlett-Packard's Electus Voter Registrations and 9 Election Management software was implemented in 2005 10 as part of the Help America Vote Act (HAVA) 11 initiative"; right? 12 A. Yes. 13 Q. "SEMS has been used as the voter 14 registration system for all 82 Mississippi counties 15 since February of 2006." And that's accurate; 16 right? 17 A. Yes. 18 Q. "SEMS provides statewide comprehensive 19 voter registration functionality, voter roll 20 maintenance functionality, election management, jury 21 management, petition management. Interfaces include 22 the Department of Public Safety, Department of 23 Health, Administrative Office of the Courts, Global 24 Election Management System (GEMS) result (for voting 25 machine system), the National Change of Address</p>

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<p>1 (NCOA) and Military/Overseas Voters (MOVE Act) for 2 ballots"; right? 3 A. Correct. 4 Q. And that's accurate; correct? 5 A. Correct. 6 Q. All right. And the second paragraph, you 7 write "The system currently contains 1.8 million 8 active voters with all registrations taking place at 9 each county circuit clerk's office"; is that right? 10 A. That's correct. 11 Q. Is there any registration work that is 12 done on a basis run by the Secretary of State's 13 office? 14 A. No. 15 Q. So if someone registers to vote, for 16 example, when they obtain a license to drive, how is 17 that handled? 18 A. Well, the previous paragraph where it 19 says "interfaces include the department of public 20 safety," there is an electronic interface that 21 provides that information to SEMS. It's separated 22 out by county and it's loaded for the counties to 23 process, just like any other voter registration. 24 Q. Let's go to paragraph 4. And can you 25 read what you wrote in paragraph 4, please, for the</p>	<p>Page 62 1 require new maps and address range indexes. The 2 county election officials would need to implement 3 those in SEMS by modifying precinct splits and 4 address ranges." 5 Q. And then the next paragraph, please? 6 A. "Poll books would be impacted due to the 7 potential for new splits and new ballot styles 8 associated with the election. Voters would be moved 9 accordingly to the districts and precinct split 10 changes and address library changes." 11 Q. Is that accurate as a description of what 12 would happen today if redistricting occurred? 13 A. Yes. 14 Q. All right. And then read, finally, for 15 what we have here, what you wrote in paragraph 6. 16 A. "Once an election is created and ballot 17 styles are generated, no redistricting changes are 18 allowed in SEMS until the completion of that 19 particular -- of the particular election. The 20 timeline for election creation is generally about 21 55 days before an election day." 22 Q. And that's accurate today as well; is 23 that right, Ms. Lennep? 24 A. That's correct. 25 Q. So can you explain to us what you meant</p>
<p>1 record? 2 A. "Upon passage of any redistricting plans, 3 statewide or local, each county's election 4 officials are responsible for redistricting in SEMS. 5 This is an extensive process which is implemented in 6 SEMS by changing district precinct split and address 7 range boundaries based on the information provided. 8 The Secretary of State's office provides training 9 and help desk support in these efforts but the work 10 is completed by the county." 11 Q. All right. Let's just pause there. What 12 you wrote there that is still an accurate 13 description today of what happens upon 14 redistricting; is that right? 15 A. That's right. 16 Q. And that work is completed by the county, 17 although the Secretary of State's office does 18 provide training and support? 19 A. That's correct. 20 Q. Let's read what you wrote in paragraph 5 21 of your affidavit here. 22 A. "Accordingly, changing the district line, 23 including those of district 22, could impact a 24 number of counties based on the impact of the change 25 on other districts. Each county with changes would</p>	<p>Page 63 1 by the timeline for election creation in this 2 paragraph? 3 A. Yes. So the election is created in SEMS, 4 and once that information is entered with the 5 contests and the candidates and ballot styles are 6 generated, the system goes into what we refer to as 7 lockdown. You can't change address ranges and 8 precincts and splits because it would negatively 9 impact, for instance, if -- and it 55 days out at 10 least because we begin absentee voting 45 days 11 before the election. 12 So if somebody voted 45 days before the 13 election and then there was a potential to go in and 14 change district lines, there's no way to actually 15 track where that vote would land. So for security 16 reasons and for accuracy reasons, once an election 17 is created and ballot styles are generated, no 18 additional changes can be made from a redistricting 19 standpoint. 20 Q. So another way to look at this would be, 21 if you had two months' lead time, you'd be able to 22 get the election set up if there were redistricting 23 that occurred? 24 MR. BECKETT: Object to the form. 25 THE WITNESS: Absolutely not. No.</p>

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<p>1 Because --</p> <p>2 BY MR. LAVELLE:</p> <p>3 Q. Explain to me why that's not accurate.</p> <p>4 A. Because the process of redistricting</p> <p>5 can't be done in a day, or even, in most cases, a</p> <p>6 week because of the information and the process that</p> <p>7 you have to go through in order to make those</p> <p>8 changes. And the size of the counties and how many</p> <p>9 counties are impacted and it just, you know, it's</p> <p>10 almost like a domino effect.</p> <p>11 Q. So it's really something that would</p> <p>12 depend on the specific circumstances of what would</p> <p>13 be required; is that right?</p> <p>14 A. You're saying what changes would be</p> <p>15 required from a redistricting standpoint?</p> <p>16 Q. I'm really asking what the time frame</p> <p>17 would be. And it sounds to me -- and correct me if</p> <p>18 I'm wrong about this -- that how long it would take</p> <p>19 to get ready for an election would depend on the</p> <p>20 scope of the redistricting; is that right?</p> <p>21 A. No. How long it takes to get ready for</p> <p>22 an election doesn't change. I mean, it's generally</p> <p>23 60 --about 60 days out. Trying to force a</p> <p>24 redistricting activity into that scenario could take</p> <p>25 a couple of days. It could take weeks. It just</p>	<p>Page 66</p> <p>1 respect to potential redistricting this year?</p> <p>2 A. No.</p> <p>3 Q. Have you discussed this lawsuit with</p> <p>4 anyone other than the counsel who are representing</p> <p>5 you in the deposition?</p> <p>6 A. No.</p> <p>7 MR. LAVELLE: We can take this exhibit</p> <p>8 down.</p> <p>9 BY MR. LAVELLE:</p> <p>10 Q. Now, in the course of your work for the</p> <p>11 Department of State, you've provided assistance on</p> <p>12 training programs; correct?</p> <p>13 A. Yes.</p> <p>14 Q. You've actually conducted training</p> <p>15 programs on the statewide election management</p> <p>16 system; right?</p> <p>17 A. Yes.</p> <p>18 Q. You've put together PowerPoints on those?</p> <p>19 A. Yes.</p> <p>20 Q. And you presented those; right?</p> <p>21 A. Correct.</p> <p>22 Q. Let's mark as the next exhibit what we</p> <p>23 have at Tab 9 of the binder.</p> <p>24 (Exhibit 8 marked for identification.)</p> <p>25 EXHIBIT TECH: Please stand by. That's</p>
<p>1 depends on what the changes are. And, again, and</p> <p>2 how many counties are impacted and how good the data</p> <p>3 is that we're being given to implement in SEMS. So</p> <p>4 it's -- sorry. It's hard to give a specific answer</p> <p>5 on that.</p> <p>6 Q. I think the answer you've given is very</p> <p>7 helpful. Obviously -- and I think you're aware of</p> <p>8 this -- the litigation that we're currently engaged</p> <p>9 in, that your deposition is being taken in concerns</p> <p>10 whether or not the districts that have been drawn</p> <p>11 for certain state elections in Mississippi need to</p> <p>12 be changed. And obviously a court is going to</p> <p>13 decide whether or not that is the case, and, if so,</p> <p>14 how they have to change.</p> <p>15 The questions I'm focussing on with you</p> <p>16 relate to timing. And it sounds to me -- again,</p> <p>17 correct me if I'm wrong -- you would not be able to</p> <p>18 say here today that it would take a specific defined</p> <p>19 time that you could predict with certainty no matter</p> <p>20 how extensive or limited the changes are. It would</p> <p>21 really depend on the nature and extent of the</p> <p>22 changes; is that right?</p> <p>23 A. Yes, that's correct.</p> <p>24 Q. All right. Have you been asked to do any</p> <p>25 work for the Secretary of State's office with</p>	<p>Page 67</p> <p>1 Lennepe Exhibit 8.</p> <p>2 BY MR. LAVELLE:</p> <p>3 Q. All right. Ms. Lennepe, we've marked as</p> <p>4 Exhibit Lennepe 8 for identification a series of</p> <p>5 PowerPoint presentations. And they are pretty</p> <p>6 voluminous. I don't propose to take you through</p> <p>7 these page by page. I don't think that would be a</p> <p>8 good use of your time. But I do want to just</p> <p>9 determine and get you to answer on the record from</p> <p>10 you as to whether or not these are presentations</p> <p>11 that you prepared in the course of your consulting</p> <p>12 for the Secretary of State's office.</p> <p>13 MR. BECKETT: Hey, John, while she flips</p> <p>14 through that, is what's on the screen the same as</p> <p>15 what's in the binder?</p> <p>16 MR. LAVELLE: Yes.</p> <p>17 MR. BECKETT: Okay.</p> <p>18 Take your time and just flip through that</p> <p>19 and make sure those are your documents.</p> <p>20 BY MR. LAVELLE:</p> <p>21 Q. And just for clarity, there is a series</p> <p>22 of PowerPoints there, if we need to walk through</p> <p>23 them individually, but I'm hoping you can identify</p> <p>24 them generally because they are all pretty much the</p> <p>25 same?</p>

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<p style="text-align: right;">Page 70</p> <p>1 A. Yeah. Hold on just a second. So are the 2 first two the same ones? Yeah. The first two in 3 there are identical. They are both from the 2011 4 ECAM presentation.</p> <p>5 Q. What is an ECAM presentation?</p> <p>6 A. Election Commissioners Association of 7 Mississippi. So that's where we do the 8 certification training for election commissioners.</p> <p>9 Q. So the election commissioners are county 10 officials who are responsible for conducting 11 elections?</p> <p>12 A. That's right. In Mississippi, they are 13 elected. There are five in each county.</p> <p>14 Q. And you have -- you've provided these 15 training programs to the election commissioners on 16 an ongoing basis on behalf of the Secretary of 17 State's office; correct?</p> <p>18 A. Correct.</p> <p>19 Q. And the idea here is that you're 20 providing training to these officials in what 21 features SEMS has and how to use it; is that 22 correct?</p> <p>23 A. Yes, yes.</p> <p>24 Q. I'm oversimplifying here, but as a very 25 general basis, that's what you're doing?</p>	<p style="text-align: right;">Page 72</p> <p>1 We'll mark that as the next exhibit for 2 identification, please.</p> <p>3 EXHIBIT TECH: Stand by. This is Lennep 4 Exhibit 9.</p> <p>5 (Exhibit 9 marked for identification.)</p> <p>6 BY MR. LAVELLE:</p> <p>7 Q. All right. Ms. Lennep, do you recognize 8 what we've marked for identification as Lennep 9?</p> <p>9 A. Yes.</p> <p>10 Q. What is it?</p> <p>11 A. Election tips for the TSX, that's the 12 name of the voting machine system. I'm sorry. Ask 13 me that again.</p> <p>14 Q. Is this a presentation that you prepared, 15 Ms. Lennep?</p> <p>16 A. Yes.</p> <p>17 Q. The fact it identifies you on the first 18 page as the creator of this training program; right?</p> <p>19 A. Yes.</p> <p>20 Q. Who is Derrick Cooper?</p> <p>21 A. He's an employee at the Secretary of 22 State.</p> <p>23 Q. Do you recall whether Mr. Cooper actually 24 provided this PowerPoint to the officials?</p> <p>25 A. I'm sure he did.</p>
<p style="text-align: right;">Page 71</p> <p>1 A. Yes.</p> <p>2 Q. Did you prepare these slides?</p> <p>3 A. Yes.</p> <p>4 Q. This is a presentation you do 5 periodically to the election commissioners?</p> <p>6 A. Every year.</p> <p>7 Q. You update it from time to time?</p> <p>8 A. Every year, yes. Yes. I mean, when it 9 says "SEMS update," I mean, we make updates to the 10 program about four times a year. So certainly when 11 I present in January, which their annual convention 12 and when we do their certification training, it 13 would have different information in it as far as the 14 updates go, and then we focus on whatever else is 15 important for that year.</p> <p>16 Q. Got it. All right. But just so we have 17 it clear on the record, what we've marked as 18 Exhibit 8 -- Lennep 8 are the PowerPoints that you 19 prepared for presentation to the election 20 commissioners as part of their ongoing training; is 21 that right?</p> <p>22 A. Yes.</p> <p>23 MR. LAVELLE: All right. Let's mark as 24 the next exhibit -- I'm finished with this one. 25 Let's mark the next exhibit what we have at Tab 10.</p>	<p style="text-align: right;">Page 73</p> <p>1 Q. Why did you end up being the person to 2 create this PowerPoint?</p> <p>3 A. I had created it and presented it 4 previously, and if I remember right, we had a 5 conflict that I couldn't be at this municipal 6 training, and so Derrick, who was also with 7 elections and worked in IT, did the presentations.</p> <p>8 MR. LAVELLE: We are finished with that 9 document. Thank you.</p> <p>10 Let's now go to what we have at Tab 11 of 11 the binder. And could we mark that, Concierge, as 12 the next exhibit, please?</p> <p>13 (Exhibit 10 marked for identification.)</p> <p>14 EXHIBIT TECH: Please stand by. This is 15 Lennep Exhibit 10.</p> <p>16 BY MR. LAVELLE:</p> <p>17 Q. Ms. Lennep, we have marked as Exhibit 10 18 for identification another PowerPoint presentation.</p> <p>19 Do you recognize this?</p> <p>20 A. Yes.</p> <p>21 Q. What is this presentation?</p> <p>22 A. It's "Voter Roll Move, Merge, and Purge."</p> <p>23 So it's a presentation on voter roll maintenance.</p> <p>24 Q. Who was this presentation provided to?</p> <p>25 A. Probably both circuit clerks and election</p>

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<p style="text-align: right;">Page 74</p> <p>1 commissioners because, in counties, they all 2 participate in this process. 3 Q. When would you have provided this 4 presentation? Let me rephrase that. 5 When did you provide this presentation to 6 those individuals? 7 A. I don't know. I hate that I didn't have 8 a date on it. But I can tell from the screenshots 9 that it was prior to 2020. 10 Q. How do you know it was prior to 2020? 11 A. Because we changed the format of the 12 dashboard -- or the home screen. Like the date on 13 the -- on one of the screenshots is 2017. The date 14 in the reports is 2017. So I'm going to say 2017. 15 Q. Is this a presentation that you have 16 likewise provided periodically? 17 A. Portions of it in different formats 18 because we constantly talk about voter roll 19 maintenance. But specifically, no. I wouldn't -- 20 like, I wouldn't have shown this since we moved to 21 the new dashboard because it's outdated. 22 Q. All right. We're finished with this 23 exhibit. The last one that's like this that we're 24 going to show you is at Tab 12 of your binder. 25 A. Uh-huh.</p>	<p style="text-align: right;">Page 76</p> <p>1 that would be received from the 2010 census. 2 Q. And what specifically were you training 3 these individuals about with respect to 4 redistricting? 5 A. How they would implement the lines that 6 were drawn into SEMS. 7 Q. Is this a type of presentation that you 8 have provided more than once? 9 A. Yes. 10 Q. How frequently have you presented this 11 presentation in one form or another? 12 A. As far as implementation of redistricting 13 lines that were provided to the county, several 14 times in the 2012 to 2015 time frame and then 15 several times in the past couple of years. 16 Q. There had to be redistricting work done a 17 couple of times during the 2012 to 2015 time frame; 18 correct? 19 MR. BECKETT: Object to form. 20 Can you be more specific about which kind 21 of redistricting? Are you talking about legislative 22 or the other positions in government? Just -- it 23 would be helpful, I think, if we knew a more 24 specific reference. 25 MR. LAVELLE: Let me ask the witness</p>
<p style="text-align: right;">Page 75</p> <p>1 Q. One last collection of PowerPoints. 2 MR. LAVELLE: And if I could ask the 3 concierge to please mark that as the next exhibit 4 for identification. 5 (Exhibit 11 marked for identification.) 6 EXHIBIT TECH: Please stand by. 7 MR. BECKETT: While she's doing that, I 8 can assume what she's going to put on the screen is 9 the same as what's in the binder? 10 MR. LAVELLE: Correct. 11 MR. BECKETT: Because Madalan is able to 12 flip through the binder a lot more easily. 13 MR. LAVELLE: Understood. That is why we 14 are glad to have the physical copies there in front 15 of the witness, to make it easier. 16 MR. BECKETT: Take your time. That's a 17 big document. 18 EXHIBIT TECH: This is Lennep Exhibit 11. 19 BY MR. LAVELLE: 20 Q. Ms. Lennep, we have marked for 21 identification Lennep Exhibit 11, another PowerPoint 22 presentation. Can you tell us what this is? 23 A. This was presented at the ECAM convention 24 in 2011. And it's SEMS update on redistricting and 25 new features. So in preparation for information</p>	<p style="text-align: right;">Page 77</p> <p>1 that. 2 BY MR. LAVELLE: 3 Q. When you refer to redistricting 4 preparation, redistricting steps in your 5 presentation here, what kind of redistricting are 6 you referring to? 7 A. Generic to the type, the same steps are 8 taken in SEMS. 9 Q. So whatever the reason for the 10 redistricting, whether it be legislative or court or 11 what have you, there are a series of steps that have 12 to be done in SEMS; is that correct? 13 A. That's correct. 14 Q. And what are those steps that have to be 15 done? 16 A. They have to be given -- the county would 17 have to be given maps and address ranges for the 18 changes. Generally information that would provide 19 what district they are coming from and what district 20 they are going to, what precinct they are in. And 21 then those address ranges, for instance, 100 to 500 22 Main Street, would be in one district, which would 23 require a specific split in a precinct so that then 24 the precinct and the address information would all 25 be associated to the voter through that address</p>

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<p style="text-align: right;">Page 78</p> <p>1 range. So it's automatically assigned once all of 2 the address library connections are made to those 3 individual precincts and splits.</p> <p>4 Q. So the specific steps that have to be 5 done, you have obviously covered them in this 6 presentation, you have provided training on those 7 steps to officials on a regular basis over the past 8 at least 12 years; is that correct?</p> <p>9 A. Sporadically. I mean, we don't 10 redistrict every year so, I mean, we didn't provide 11 any type of redistricting training for, I would say, 12 2015 through 2021 because there was no reason for 13 it.</p> <p>14 Q. But then when the new district lines were 15 drawn for the state legislature in 2022, training 16 was provided by you; correct?</p> <p>17 A. Yes.</p> <p>18 Q. Do you recall when you provided that 19 training for the 2022 redistricting?</p> <p>20 A. Yes. But, I mean, there were multiple -- 21 there were multiple training classes, generally last 22 year in the summer. Because, again, you can only do 23 this work when there's not an open election.</p> <p>24 Q. All right. Let me ask you a little bit 25 more about that because I'm not sure I understand</p>	<p style="text-align: right;">Page 80</p> <p>1 A. Yes, I believe that's the case. Although 2 our training coordinator at Secretary of State, I 3 mean, the individual has to contact them, sign up 4 for it, be given credentials. It's not something 5 that's just, like, out on a public-facing website.</p> <p>6 Q. Who is the training coordinator at the 7 Secretary of State's office currently?</p> <p>8 A. Logan Witcher.</p> <p>9 Q. Is it Mr. Or Ms. Witcher?</p> <p>10 A. Mister.</p> <p>11 Q. How long has Mr. Witcher been in that 12 position? A while?</p> <p>13 A. Yeah. A couple of years. I'm not 14 exactly sure.</p> <p>15 Q. To the best of your knowledge, that video 16 of the training on redistricting is available for 17 any of the election officials who would need it to 18 review currently?</p> <p>19 A. Yes.</p> <p>20 Q. Did anyone do that training or provide 21 that training along with you, or were you the only 22 one for the Secretary of State's office who provided 23 that training?</p> <p>24 A. I was the only one.</p> <p>25 MR. LAVELLE: All right. We're at a</p>
<p style="text-align: right;">Page 79</p> <p>1 your answer.</p> <p>2 You provided multiple training programs on 3 the redistricting steps during the summer of 2022. 4 Is that your recollection?</p> <p>5 A. Yes. We provided regional training. So, 6 like, we did a class in Hattiesburg, we did a class 7 in Jackson, we did a class in Oxford.</p> <p>8 Q. So the idea would be that you would go to 9 a location, and then the county officials from that 10 region would assemble so that you could provide the 11 training to them as a group?</p> <p>12 A. Correct.</p> <p>13 Q. How many of those group training sessions 14 did you do on redistricting steps during 2022?</p> <p>15 A. Three in-person.</p> <p>16 Q. Did you do a virtual one or more than one 17 as well?</p> <p>18 A. There is a virtual recorded training 19 session.</p> <p>20 Q. And that's available on demand for 21 anybody who needs to review it; is that right?</p> <p>22 A. That is correct.</p> <p>23 Q. And where would that be located? Is that 24 on a server that's available for the election 25 officials?</p>	<p style="text-align: right;">Page 81</p> <p>1 point that would be a convenient time for a break. 2 Going to move to a different topic. So we can take 3 a break for five minutes if you'd like.</p> <p>4 MR. BECKETT: That's great, John. Do you 5 want to go another hour and then do a later lunch?</p> <p>6 MR. LAVELLE: That works for me, but it's 7 really -- we can go off the record and discuss the 8 scheduling.</p> <p>9 THE VIDEOGRAPHER: The time is 10 11:17 a.m., and we are off the record.</p> <p>11 (Off the record)</p> <p>12 THE VIDEOGRAPHER: We're back on the 13 record. The time is 11:25 a.m.</p> <p>14 BY MR. LAVELLE:</p> <p>15 Q. All right. Ms. Lennep, when did you 16 first get asked to do any consulting work with 17 respect to the redistricting process for the 18 redistricting done following the 2020 census?</p> <p>19 A. When did I get asked to do redistricting 20 work? For SEMS, I mean, it's not a specific 21 request. It's just an acknowledgment of part of the 22 project. So, I mean, from the Secretary of State's 23 standpoint, nobody came to me and said, "Hey, are 24 you going to do redistricting?" I mean, it's just a 25 standard part of the process. So I can't tell you</p>

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<p style="text-align: right;">Page 82</p> <p>1 that somebody specifically came to me and said, 2 "Here, do this."</p> <p>3 Q. Do you know Ben Collins? 4 A. I do know Ben Collins.</p> <p>5 Q. All right. What is Mr. Collins's 6 position?</p> <p>7 A. He works with PEER, which is -- I don't 8 know the acronym, what are the letters --</p> <p>9 Q. PEER is the committee that's involved in 10 the redistricting process; is that correct?</p> <p>11 MR. BECKETT: Object to the form.</p> <p>12 THE WITNESS: I can't honestly -- I don't 13 know.</p> <p>14 BY MR. LAVELLE:</p> <p>15 Q. All right. Well, I'll be able to show 16 you, I think, a document --</p> <p>17 A. There's a legislative review -- but my 18 understanding is they do a whole lot more than 19 redistricting. I mean, they are a constant division 20 that works with the legislature, is my 21 understanding.</p> <p>22 Q. All right. Let me ask the question a 23 different way. What kind of work have you done with 24 Mr. Collins?</p> <p>25 A. So the Secretary of State's office has</p>	<p style="text-align: right;">Page 84</p> <p>1 has asked you for information from SEMS? 2 A. Maybe once or twice, but generally I work 3 with Ben.</p> <p>4 Q. When you have worked with Mr. Booth, has 5 it been the same as it was with Mr. Collins? In 6 other words, you don't tell him what to ask for but 7 you just respond to requests that he has made for 8 information?</p> <p>9 A. Yes.</p> <p>10 Q. Has Mr. Booth ever asked you for input on 11 a proposed state legislative district?</p> <p>12 A. No.</p> <p>13 Q. Has Mr. Collins ever done that?</p> <p>14 A. No.</p> <p>15 Q. We have a number of documents that have 16 been produced, some that you produced to us and 17 others that were produced to us by the Secretary of 18 State's office directly. So I'm going to try to go 19 through these in chronological order. So we could 20 end up skipping around a little bit in this binder, 21 but my goal is to try to go through it in 22 chronological order because I think that's the 23 easiest way for me to follow what you did and what 24 you were asked to do. Okay?</p> <p>25 A. Okay.</p>
<p style="text-align: right;">Page 83</p> <p>1 provided information to PEER on things like 2 precincts and voter turnout and that sort of thing. 3 I mean, as far as work, I don't do any work with 4 them. I mean, I'm not involved in their process at 5 all other than to provide some information from 6 SEMS.</p> <p>7 Q. I think it's inherent in what you just 8 said, but let me just ask you the question to make 9 it clear. You don't tell Mr. Collins what to ask 10 for, you just respond to requests by Mr. Collins for 11 information from SEMS. Is that a fair statement?</p> <p>12 A. That's correct.</p> <p>13 Q. And you have provided information to 14 Mr. Collins at his request from time to time from 15 the SEMS system?</p> <p>16 A. That's correct.</p> <p>17 Q. What he does with that, you're not really 18 sure; is that fair?</p> <p>19 A. That is extremely fair and accurate.</p> <p>20 Q. All right. Do you know Ted Booth?</p> <p>21 A. I do know Ted Booth.</p> <p>22 Q. All right. How do you know Mr. Booth?</p> <p>23 A. He's Ben's boss. He's the executive 24 director of PEER, I would assume.</p> <p>25 Q. And there have been times when Mr. Booth</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. So the earliest one that we have, or at 2 least I've seen, is at Tab 29.</p> <p>3 MR. LAVELLE: And I'll ask the concierge 4 to mark that as the next exhibit, please.</p> <p>5 EXHIBIT TECH: Please stand by. This is 6 Lennep Exhibit 12.</p> <p>7 (Exhibit 12 marked for identification.)</p> <p>8 BY MR. LAVELLE:</p> <p>9 Q. So, Ms. Lennep we've marked for 10 identification as Exhibit 12, an email.</p> <p>11 Do you recognize this?</p> <p>12 A. Yes.</p> <p>13 Q. Is this an email that you sent to 14 Mr. Collins?</p> <p>15 A. Yes.</p> <p>16 Q. And you sent this on May 28, 2019; 17 correct?</p> <p>18 A. Correct.</p> <p>19 Q. And the subject line of the email you 20 sent to Mr. Collins on that date is "SEMS listing of 21 precincts statewide 5/28/19"; right?</p> <p>22 A. Yes.</p> <p>23 Q. A couple questions for you here. The 24 signature block of your email identifies you; right?</p> <p>25 Madalan Lennep, PMP, elections consultant; right?</p>

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<p style="text-align: right;">Page 86</p> <p>1 A. Yes.</p> <p>2 Q. And then there's Mississippi Secretary of State's office and a phone number. What phone number is that?</p> <p>5 A. That's the phone at the Secretary of State's office.</p> <p>7 Q. So that's not your personal phone?</p> <p>8 A. No.</p> <p>9 Q. And then you have an email address 10 Madalan.Lennep@sos.ms.gov; right?</p> <p>11 A. Yes.</p> <p>12 Q. Is that the email address that you use 13 for your consulting work for the Secretary of State's office?</p> <p>15 A. Yes.</p> <p>16 Q. Do you ever use any other email address, 17 such as one from Pharos or a personal email for 18 consulting work that you do for the Secretary of State's office?</p> <p>20 A. No. Well, I'll take that back. For instance, when I send them information, like, related to my business, like a copy of a contract or 23 a statement of work, then yes, it comes from my 24 business account because it's me working as an independent consultant with the Secretary of State.</p>	<p style="text-align: right;">Page 88</p> <p>1 Pharos email to see if there was anything responsive 2 there to the subpoena; correct?</p> <p>3 A. That is correct.</p> <p>4 Q. All right.</p> <p>5 A. But for good reason because I don't use 6 my Pharos account when I'm doing work for the 7 Secretary of State's office.</p> <p>8 Q. If there was an email in there that 9 related to the work that you did for the Secretary 10 of State, that would be a mistake; right?</p> <p>11 A. If there was an email in where?</p> <p>12 Q. In your Pharos email, that would not be 13 the way that you would typically conduct work; 14 correct?</p> <p>15 A. That's correct.</p> <p>16 Q. All right. So focussing on this email, 17 do you have a recollection, as we sit here today, of 18 why you provided a SEMS listing of precincts 19 statewide to Mr. Collins on May 28, 2018?</p> <p>20 A. Yes, because he requested it.</p> <p>21 Q. Why did he request it?</p> <p>22 A. I don't know specifically, but, I mean, 23 they are a fellow state agency and they asked for 24 the information. I would assume -- which we 25 shouldn't do -- but I would assume it was to make</p>
<p style="text-align: right;">Page 87</p> <p>1 When I'm working for the Secretary of State, then I 2 use the credentials that they've provided to me.</p> <p>3 Q. Okay. Secretary of State's office gave 4 you an email address there?</p> <p>5 A. Correct.</p> <p>6 Q. Right. How do you access your Secretary 7 of State's office email?</p> <p>8 A. Through a laptop with the VPN connection 9 or in house using a docking station.</p> <p>10 Q. I asked you some questions earlier in the 11 deposition about the search of documents and 12 information in order to comply with the subpoena.</p> <p>13 Do you remember those questions?</p> <p>14 A. Yes.</p> <p>15 Q. And you told me that you had reviewed 16 your inbox in order to find records that were 17 responsive to the subpoena; right?</p> <p>18 A. Correct.</p> <p>19 Q. When you looked at the inbox, did you 20 look at just the Secretary of State's inbox or also 21 your Pharos inbox or both?</p> <p>22 A. Just the Secretary of State because all 23 of the work I did in regards to communication with 24 PEER was through the Secretary of State's office.</p> <p>25 Q. So in other words, you did not check your</p>	<p style="text-align: right;">Page 89</p> <p>1 sure they have all the correct precinct names for 2 the counties because precincts change over time.</p> <p>3 Precincts are opened, precincts are closed, 4 precincts are split by the county board of 5 supervisors. But that information is entered in 6 SEMS.</p> <p>7 Q. Do you have an understanding of how this 8 request related to the redistricting process?</p> <p>9 MR. BECKETT: Object to the form.</p> <p>10 THE WITNESS: I'm sorry. Ask me that 11 again. I didn't understand it.</p> <p>12 BY MR. LAVELLE:</p> <p>13 Q. Sure. Do you understand how this 14 information, the listing of precincts, related to 15 the redistricting process?</p> <p>16 A. Except for the fact that, when they 17 actually provide or pass the joint resolution, many 18 of the districts are listed by county and precinct, 19 that that would be an assumption. But, I mean, I 20 know that precinct information is used in that 21 process.</p> <p>22 Q. You know it is used but you don't know 23 exactly how it's used?</p> <p>24 A. That's correct.</p> <p>25 Q. Let's go to the next exhibit, which is</p>

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<p style="text-align: right;">Page 90</p> <p>1 Tab 30 in your binder.</p> <p>2 A. Uh-huh.</p> <p>3 MR. LAVELLE: And if we could mark that</p> <p>4 for identification, Concierge, as our next exhibit,</p> <p>5 I'd appreciate it.</p> <p>6 EXHIBIT TECH: Please stand by.</p> <p>7 THE WITNESS: I mean, I see it in the</p> <p>8 folder.</p> <p>9 MR. BECKETT: Just wait for her to put it</p> <p>10 up.</p> <p>11 THE WITNESS: Okay.</p> <p>12 MR. BECKETT: And, John --</p> <p>13 EXHIBIT TECH: This is going to be</p> <p>14 Exhibit 13.</p> <p>15 (Exhibit 13 marked for identification.)</p> <p>16 MR. BECKETT: -- I'll stop asking the</p> <p>17 question, but I'm assuming you're going to let us</p> <p>18 know if what's on the screen is different than</p> <p>19 what's in the binder. Is that okay?</p> <p>20 MR. LAVELLE: Yes.</p> <p>21 BY MR. LAVELLE:</p> <p>22 Q. So we've marked for identification as</p> <p>23 Exhibit Lennep 13, the attachment to the email we</p> <p>24 previously looked at that was marked as Exhibit 12.</p> <p>25 Do you recognize this, Ms. Lennep?</p>	<p style="text-align: right;">Page 92</p> <p>1 Q. You sent it on November 15, 2019;</p> <p>2 correct?</p> <p>3 A. Yes.</p> <p>4 Q. And the subject line is "Reports"; right?</p> <p>5 A. Yes.</p> <p>6 Q. Can you read for us what you wrote to</p> <p>7 Mr. Booth on that day?</p> <p>8 A. "I am working on the best solution for</p> <p>9 this. Will be in touch."</p> <p>10 Q. Do you recall, Ms. Lennep, what you were</p> <p>11 trying to provide a solution for for Mr. Booth?</p> <p>12 A. I do not.</p> <p>13 Q. Do you have an understanding, as we sit</p> <p>14 here today, of how this related to the redistricting</p> <p>15 process?</p> <p>16 A. I do not.</p> <p>17 Q. Very good. We're finished with this</p> <p>18 exhibit. Let's go to the next one, which is at</p> <p>19 Tab 32 in the binder.</p> <p>20 EXHIBIT TECH: This is Lennep Exhibit 15.</p> <p>21 (Exhibit 15 marked for identification.)</p> <p>22 BY MR. LAVELLE:</p> <p>23 Q. Ms. Lennep, we've marked for</p> <p>24 identification as Exhibit 15 another email.</p> <p>25 Do you recognize this?</p>
<p style="text-align: right;">Page 91</p> <p>1 A. Yes.</p> <p>2 Q. What is it?</p> <p>3 A. It's the precinct polling place report</p> <p>4 that's referred to in the email.</p> <p>5 Q. And this is the report that you generated</p> <p>6 from SEMS and provided to Mr. Collins on May 20,</p> <p>7 2019; correct?</p> <p>8 A. Correct.</p> <p>9 Q. All right. Let's go to the next exhibit</p> <p>10 please. And that will be Tab 31 in the book.</p> <p>11 MR. LAVELLE: And let's mark that as the</p> <p>12 next exhibit, please.</p> <p>13 MR. BECKETT: Just stay on the one he's</p> <p>14 asking about.</p> <p>15 EXHIBIT TECH: This is Lennep Exhibit 14.</p> <p>16 (Exhibit 14 marked for identification.)</p> <p>17 BY MR. LAVELLE:</p> <p>18 Q. All right. Ms. Lennep, we've marked for</p> <p>19 identification as Exhibit 14 to your deposition an</p> <p>20 email.</p> <p>21 Do you recognize this?</p> <p>22 A. Yes.</p> <p>23 Q. Is this an email that you sent to Ted</p> <p>24 Booth?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 93</p> <p>1 A. Yes.</p> <p>2 Q. Is this an email that you sent to Ted</p> <p>3 Booth copied to Kim Turner on November 5, 2019?</p> <p>4 A. Yes.</p> <p>5 Q. Who is Kim Turner?</p> <p>6 A. She was the Assistant Secretary of State</p> <p>7 for Elections at that time.</p> <p>8 Q. And would you read, please, what you</p> <p>9 wrote to Mr. Booth on that day in this email?</p> <p>10 A. "We are thinking the most efficient way</p> <p>11 to get exact poll book numbers would be to have a</p> <p>12 custom query written by our support company. Can</p> <p>13 you please send a request of the information you</p> <p>14 need along with how it will be used."</p> <p>15 Q. So does looking at this help you recall</p> <p>16 that Mr. Booth had asked to you get exact poll book</p> <p>17 numbers?</p> <p>18 A. Yes.</p> <p>19 Q. As of November 2019?</p> <p>20 A. Yes.</p> <p>21 Q. What is an exact poll book number?</p> <p>22 A. It would be a list of all of the</p> <p>23 precincts with the number of voters in each poll</p> <p>24 book, and I guess potentially voting history, but</p> <p>25 I'm not sure. The exact poll book numbers. But</p>

24 (Pages 90 - 93)

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<p style="text-align: right;">Page 94</p> <p>1 because that can't be pulled at the state level      2 because the state doesn't have any poll books in      3 SEMS. All of the poll books are pulled at the      4 county level.</p> <p>5 Q. Do you have a recollection of why      6 Mr. Booth asked you for this information?</p> <p>7 A. I don't.</p> <p>8 Q. You did ask him to send you a request for      9 the information and a description of how it would be      10 used; right?</p> <p>11 A. Yes. And that was a request by legal,      12 which Kim Turner was our -- of course, is also an      13 attorney, as it says, for elections.</p> <p>14 Q. Can you explain to me what you mean by      15 that was a request by legal?</p> <p>16 A. Yes. Kim Turner, who's an attorney, was      17 the Assistant Secretary of State for Elections at      18 the time. And so I ran this request by her, and she      19 asked that it be put in a formal request and      20 information on how it would be used.</p> <p>21 Q. And that was why you copied Kim Turner on      22 this email?</p> <p>23 A. Correct.</p> <p>24 Q. Let's go to the next tab, Tab 33.</p> <p>25 MR. LAVELLE: And I'll ask the concierge</p>	<p style="text-align: right;">Page 96</p> <p>1 to you; correct?</p> <p>2 A. Yes.</p> <p>3 Q. Can you read for us what Mr. Booth told      4 you was the reason for his request?</p> <p>5 A. "We would like accurate      6 precinct-by-precinct registration information for      7 all Mississippi voting precincts as far as the      8 registration cutoff date for November 5, 2019,      9 general election. We will eventually be using this      10 information to help us design districts for the      11 house and senate following the 2020 census PL-94-171      12 data delivery.</p> <p>13 "When we are looking at such data as voting      14 age population and minority voting age population,      15 it would be beneficial to have an understanding of      16 how many persons are actually registered in a      17 precinct. We also look at actual elections when we      18 devise districts as it would be instructive to see      19 percentages of registered voters who turn out in      20 given elections. Is this what you need? Thanks."</p> <p>21 Q. So a couple of follow-up questions for      22 you in terms of what Mr. Booth said in terms of his      23 request. What is the 2020 census PL-94-171 data      24 delivery?</p> <p>25 A. I have no idea. That's why I kind of</p>
<p style="text-align: right;">Page 95</p> <p>1 to mark this as the next exhibit for identification,      2 please.</p> <p>3 EXHIBIT TECH: Please stand by. This is      4 Lennepe Exhibit 16.      5 (Exhibit 16 marked for identification.)</p> <p>6 BY MR. LAVELLE:</p> <p>7 Q. Ms. Lennepe, we've marked for      8 identification as Exhibit 16 an email exchange that      9 you had with Mr. Booth.</p> <p>10 Do you recognize this?</p> <p>11 A. Yes.</p> <p>12 Q. And this is an email exchange you had      13 with Mr. Booth in November of 2019, November 5,      14 2019, to be precise?</p> <p>15 A. Yes.</p> <p>16 Q. In this printout, the email that we've      17 looked at previously that you sent to Mr. Booth is      18 at the bottom of the chain; right?</p> <p>19 A. Yes.</p> <p>20 Q. The one where you asked him to send a      21 request of the information he needed along with how      22 it will be used; right?</p> <p>23 A. Yes.</p> <p>24 Q. And then the email immediately above it      25 is Mr. Booth's response providing that information</p>	<p style="text-align: right;">Page 97</p> <p>1 stumbled across it. I don't know what that is.</p> <p>2 Q. Do you know what PL-94-171 is?</p> <p>3 A. I do not.</p> <p>4 Q. Do you know whether you have provided to      5 Mr. Booth or Mr. Collins data on voting age      6 population?</p> <p>7 A. I don't believe, in any of the reports,      8 we've provided -- it doesn't include voting age      9 population, that I can remember.</p> <p>10 Q. Does the data that you provided through      11 SEMS provide minority voting age population?</p> <p>12 A. SEMS doesn't capture any race or gender      13 information. So of course it does have age or birth      14 date, but I don't know how -- I mean, there's no way      15 that SEMS could provide any information on minority      16 voting age population. It doesn't exist in SEMS.</p> <p>17 Q. That would have to come from some other      18 source; is that correct?</p> <p>19 A. That's correct.</p> <p>20 Q. So SEMS does not have any record that      21 reflects a voter's race?</p> <p>22 A. No.</p> <p>23 Q. Has it ever contained that information?</p> <p>24 A. From some legacy data that was brought      25 over in 2005, there was some information as a result</p>

25 (Pages 94 - 97)

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<p style="text-align: right;">Page 98</p> <p>1 of jury, but all that data was wiped.      2 Q. So when was race data eliminated from the      3 SEMS database?      4 A. I would say probably 2010 maybe.      5 Q. Would poll book numbering be useful for      6 what Mr. Booth is asking for in this email?      7 A. I don't know how I would determine what      8 exactly they would find useful. I know it's what he      9 asked for.      10 Q. Where in his description does he refer to      11 exact poll book numbers? Is that what he means by      12 "how many persons are actually registered in a      13 precinct"?      14 MR. BECKETT: Object to the form.      15 THE WITNESS: Yes.      16 MR. LAVELLE: You can answer that.      17 MR. BECKETT: Yeah. You can answer that.      18 THE WITNESS: Yes, I did. Sorry. We      19 were talking at the same time.      20 BY MR. LAVELLE:      21 Q. Do you know whether it's possible to      22 determine minority voting age population by looking      23 at the exact poll book numbers in conjunction with      24 any other data?      25 MR. BECKETT: Object to form.</p>	<p style="text-align: right;">Page 100</p> <p>1 Q. Can you explain what you mean by that?      2 A. Well, yes. If an individual -- if a      3 county has a voting age population based on the      4 census of a hundred people, and they have 120 active      5 registered voters, then we encourage the local      6 election officials to look more closely at things      7 like their deceased records and duplicates.      8 Q. Any other way in which census data would      9 be useful for voting age population?      10 A. Not that I'm aware of, no.      11 Q. Could it be used for minority voting age      12 population as Mr. Booth references in his email?      13 MR. BECKETT: Object to form,      14 speculation.      15 THE WITNESS: Again, I don't know how.      16 MR. BECKETT: You can answer.      17 THE WITNESS: Again, I don't know how      18 that would be the case because it's what we -- what      19 we provide in voting age population doesn't have a      20 minority aspect to it.      21 BY MR. LAVELLE:      22 Q. It would have to come from some place      23 else; correct?      24 A. Correct.      25 Q. All right. Let's scroll to the top of</p>
<p style="text-align: right;">Page 99</p> <p>1 THE WITNESS: No, I don't even -- no. I      2 mean, the information is not contained in SEMS so I      3 don't know how someone else might perceive that      4 number.      5 BY MR. LAVELLE:      6 Q. Well, census data includes capturing race      7 data for people who are recorded in the census;      8 correct?      9 A. I don't have any experience with census      10 data. So I'm assuming that's correct because, as an      11 individual, I answer those questions on the census      12 form. But --      13 Q. You fill out that census like everybody      14 else does every ten years; right?      15 A. Exactly, yeah. So yes, I know it's      16 asked. I don't know what form it comes back in.      17 Q. In your work for the Secretary of State's      18 office, have you ever done any work that uses census      19 data?      20 A. The only thing would be voting age      21 population.      22 Q. And how do you use census data for that?      23 A. To make sure counties are staying below      24 the threshold of voting age population in their      25 voter roll maintenance efforts.</p>	<p style="text-align: right;">Page 101</p> <p>1 this email chain to take a look at your response to      2 Mr. Booth.      3 A. Uh-huh.      4 Q. What did you say in response to      5 Mr. Booth?      6 A. "Thanks. I found another report which      7 might be of interest, but the voting history numbers      8 won't be available for the general until each county      9 processes their poll book and closes the election in      10 SEMS. This report includes all voting history,      11 whether the ballot was counted or not, absentee and      12 affidavits. Take a look and let me know what you      13 think. It will require some cleanup in Excel      14 formatting but probably a lot less data entry."      15 Q. So what is it you're referring to here in      16 terms of this report?      17 A. I'm referring to the poll book status and      18 turnout report.      19 Q. Is that a standard form of report that      20 you generate from time to time out of SEMS?      21 A. As required or requested, yes.      22 Q. So SEMS is a database; right? It has a      23 lot of data in it; correct?      24 A. That's correct.      25 Q. And there are certain forms of reports</p>

26 (Pages 98 - 101)

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<p>1 that can be generated collecting certain categories 2 of data out of SEMS; right? 3 A. Correct. 4 Q. And there are some, I would imagine, some 5 forms of report that you have predefined that you 6 know on a regular basis you need to be able to 7 generate; is that correct? 8 A. Some, but there are also -- because, 9 remember, when we started off reading that SEMS 10 actually came from the product by Hewlett-Packard 11 called Electus. There are literally hundreds of 12 reports out there that we've never used because this 13 product was actually developed and implemented in 14 eight or nine different states. 15 Q. So when you say in your email to 16 Mr. Booth "I found another report," you're referring 17 to a report form that was in Electus? 18 A. That was in SEMS, yes. That I ran across 19 and thought, oh, okay, this one could help answer 20 the question because it gives you the number of 21 voters in the poll book as well as the processed 22 voter history and a percentage turnout for an 23 individual county and election. 24 Q. I think that's a good lead-up for what we 25 want to mark as the next exhibit, which is the</p>	<p>Page 102 1 A. Yeah. This was for Hinds County. 2 Obviously just -- no, it is all three pages. So the 3 first column for the 2019 primary election shows the 4 precinct name. The second labeled column shows the 5 number of voters that are actually in the poll book. 6 The third shows the supplemental poll book. And in 7 this case, they did not utilize the supplemental 8 poll book. Then it shows the voter history 9 processed. So how many individuals of those that 10 are active and in the poll book participated in the 11 primary election. And then it shows a turnout 12 percentage of -- which basically is just the formula 13 for how many voted. 14 Q. When you have a reference here to "voter 15 history processed," does that include the people who 16 voted both by provisional as well as on a machine? 17 A. Yes. In the previous email, the second 18 paragraph says "This report includes all voter 19 history, whether their ballot was counted or not, 20 absentees and affidavits." So that would be regular 21 ballots voted on election day, absentee ballots and 22 affidavit ballots. Whether they were actually 23 accepted or rejected, the individual still gets 24 voting history for participation. It's basically a 25 participation award.</p>
<p>Page 103 1 report you attached here. You attached a 2018 2 primary report; right? 3 A. Yes. 4 MR. LAVELLE: Let's mark as the next 5 exhibit what you have at Tab 34 of your binder. 6 EXHIBIT TECH: This will be Exhibit 7 Lennep 17. 8 (Exhibit 17 marked for identification.) 9 BY MR. LAVELLE: 10 Q. Ms. Lennep, this is an Excel spreadsheet 11 that was attached to the email we looked at 12 previously? 13 A. Yes. 14 Q. Do you recognize this? 15 A. Yes. 16 Q. What is it? 17 A. It's a poll book status and turnout 18 report. 19 Q. And this is what you forwarded to 20 Mr. Booth as an example of something that might be 21 useful; correct? 22 A. Correct. 23 Q. Can you please walk us through this 24 report and explain what each of these columns refer 25 to?</p>	<p>Page 105 1 Q. Thank you. All right. Let's go to the 2 next exhibit, please, Tab 35 in the binder. 3 MR. LAVELLE: We're finished with this 4 document. 5 EXHIBIT TECH: Please stand by. This is 6 Lennep Exhibit 18. 7 (Exhibit 18 marked for identification.) 8 BY MR. LAVELLE: 9 Q. Ms. Lennep, we marked for identification 10 as Exhibit 18 an email exchange you had with 11 Mr. Booth. 12 Do you recognize this? 13 A. Yes. 14 Q. This is a follow-up exchange that you had 15 along the same lines that we were just discussing; 16 correct? 17 A. Correct. 18 Q. What did Mr. Booth write to you on 19 November 15, 2018? 20 A. "This is an excellent report. If we get 21 this after the general election information is 22 entered, that would be most helpful." 23 Q. And then you responded; correct? 24 A. Yes. 25 Q. And what was your response?</p>

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<p style="text-align: right;">Page 106</p> <p>1 A. "I will plan on providing these reports. 2 I will start as soon as each county closes their 3 general election, which should begin around 4 November" -- there's a punch hole through it. 15, 5 yes. 6 Q. November 15; right? 7 A. Yes. 8 Q. All right. We can go to the next tab, 9 Tab 36.</p> <p>10 EXHIBIT TECH: Please stand by. This is 11 Lennep Exhibit 19. 12 (Exhibit 19 marked for identification.)</p> <p>13 BY MR. LAVELLE:</p> <p>14 Q. Ms. Lennep, we have marked as Exhibit 19 15 another email exchange that you had with Mr. Booth 16 on November 21, 2019.</p> <p>17 Do you recognize this?</p> <p>18 A. Yes.</p> <p>19 Q. What did you write to Mr. Booth on that 20 day?</p> <p>21 A. "The number of active voters in the poll 22 book for Hinds precinct 46 in the 2019 general 23 election was 3,058. And then the address library 24 report you requested for precinct 46 is attached."</p> <p>25 Q. Do you recall, Ms. Lennep, why you</p>	<p style="text-align: right;">Page 108</p> <p>1 as? Number 19? 2 EXHIBIT TECH: This is Exhibit 20. 3 MR. LAVELLE: Exhibit 20. I'm sorry.</p> <p>4 BY MR. LAVELLE:</p> <p>5 Q. Do you recognize this, Ms. Lennep? 6 A. Yes. 7 Q. What is Exhibit 20? 8 A. It's the address library report for 9 precinct 46.</p> <p>10 Q. Is this a report that you generated? 11 A. Yes. 12 Q. Can you walk us through what is the 13 information that's captured here?</p> <p>14 A. Sure. This provides the house number 15 range in the first column. The -- it's kind of hard 16 to tell. That first line is not -- is actually a 17 description that's in the header. It shows the -- 18 it looks like -- I'm not exactly sure what the dates 19 are, but where it says "Type" that's right under 20 "Constable," "Type" is a street type and it would be 21 either odd, even or all. So you see, as you go 22 down, for instance, if you go down to Colonial 23 Circle, only the even side of the street is in that 24 precinct. So that's why it has the type.</p> <p>25 Then it has the street name, the city, the</p>
<p style="text-align: right;">Page 107</p> <p>1 provided this information to Mr. Booth on that day?</p> <p>2 A. Honestly, specifically no, but I'm 3 guessing he requested it.</p> <p>4 Q. The only reason you would have sent it to 5 him is because he had requested it; is that right?</p> <p>6 A. That's correct.</p> <p>7 Q. And then let's mark as the next exhibit 8 what's at Tab 37.</p> <p>9 EXHIBIT TECH: This is Lennep Exhibit 20. 10 (Exhibit 20 marked for identification.)</p> <p>11 MR. BECKETT: It looks different on the 12 screen so you may want to follow --</p> <p>13 THE WITNESS: You really need to put it 14 in landscape.</p> <p>15 MR. LAVELLE: Yeah, it's only showing 16 part of the whole page there. So probably need to 17 walk across it from page to page.</p> <p>18 MR. BECKETT: That's correct.</p> <p>19 MR. LAVELLE: But it's printed in 20 landscape in the book that you have.</p> <p>21 BY MR. LAVELLE:</p> <p>22 Q. Do you recognize what we've marked for 23 identification as --</p> <p>24 MR. LAVELLE: I'm sorry. What, 25 Concierge, what did we mark this for identification</p>	<p style="text-align: right;">Page 109</p> <p>1 state, the zip, the precinct, the split code, and 2 then it has district information, the senate, the 3 house of representatives, the supervisor, election 4 commissioner, justice court, constable, the city 5 ward and the school board district.</p> <p>6 Q. And, again, this is a report that was 7 generated by you out of SEMS at Mr. Booth's request?</p> <p>8 A. Yes.</p> <p>9 Q. Do you know why he requested this from 10 you?</p> <p>11 A. I'm guessing it potentially was when the 12 district 22 was -- those lines were redrawn, but I 13 don't -- I don't remember specifically. That might 14 not be right. I don't know if 22 actually came into 15 Jackson -- I mean into Hinds County. I'm not sure.</p> <p>16 Q. District 22 was redrawn at some point?</p> <p>17 A. Yes.</p> <p>18 Q. Why was that?</p> <p>19 A. I believe it was a court order. I'm not 20 sure.</p> <p>21 MR. BECKETT: Just tell him what you 22 know.</p> <p>23 THE WITNESS: Yeah.</p> <p>24 MR. LAVELLE: You can take that exhibit 25 down.</p>

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<p>1 All right. Let's go off the record here 2 for a minute.</p> <p>3 THE VIDEOGRAPHER: The time is 12:10 p.m. 4 We're off the record.</p> <p>5 (Off the record)</p> <p>6 THE VIDEOGRAPHER: We're back on the 7 record. The time is 1:13 p.m.</p> <p>8 BY MR. LAVELLE:</p> <p>9 Q. Good afternoon, Ms. Lennep. We're back 10 from the lunch break and ready to resume your 11 deposition. Are you ready to go?</p> <p>12 A. Yep.</p> <p>13 Q. Okay. Great.</p> <p>14 So we have been going through your emails 15 with Mr. Collins and Mr. Booth relating to requests 16 for data from SEMS for redistricting.</p> <p>17 Do you recall that?</p> <p>18 A. Yes.</p> <p>19 Q. And we're going through them 20 chronologically so we're going to pick up where we 21 left off before the lunch break. We left off in 22 November of 2019. The next email that I have 23 received in the discovery process is November 23, 24 2020. Before I show you that, can I ask you whether 25 you recall doing any work relating to supporting</p>	<p>Page 110</p> <p>1 concierge to mark that as our next exhibit, please. 2 I'd appreciate it.</p> <p>3 EXHIBIT TECH: Stand by. This is Lennep 4 Exhibit 21.</p> <p>5 (Exhibit 21 marked for identification.)</p> <p>6 BY MR. LAVELLE:</p> <p>7 Q. Ms. Lennep, we've marked as Exhibit 21 8 for identification an email you had with Ben Collins 9 in November of 2020.</p> <p>10 Do you see that in front of you?</p> <p>11 A. I do.</p> <p>12 Q. Do you recognize this?</p> <p>13 A. I do.</p> <p>14 Q. Is this an email exchange that you had 15 with Mr. Collins in November of 2020?</p> <p>16 A. I believe it is.</p> <p>17 Q. Looking first at Mr. Collins's email to 18 you dated Monday, November 23, 2020, subject "Ben 19 Collins at redistricting."</p> <p>20 Do you see that --</p> <p>21 A. I do.</p> <p>22 Q. -- Ms. Lennep?</p> <p>23 Mr. Collins has in his signature block, GIS 24 director, Mississippi legislature, standing joint 25 legislative committee on reapportionment,</p>
<p>Page 111</p> <p>1 redistricting between November of 2019 and November 2 of 2020?</p> <p>3 A. Not specifically, no. I mean, I get 4 literally hundreds of emails a day. So I'm sorry. 5 I mean, I didn't specifically go back and review all 6 of these. So no. But I'm sure you'll show me.</p> <p>7 Q. I'll show you what I have.</p> <p>8 A. Okay.</p> <p>9 Q. I'm just trying to make sure that I've 10 got everything. Obviously I haven't seen all of 11 your emails, and I assume that when you reviewed 12 them for the purposes of the subpoena, you tried to 13 set aside the ones that related to redistricting, 14 put those in a pile for production, and separate out 15 the ones that relate to other projects you've been 16 asked to support and set those aside and didn't 17 produce those; is that fair?</p> <p>18 A. Yes.</p> <p>19 Q. All right. So I've got that window into 20 your emails and we're going to continue going 21 through what you've produced to me and what the 22 Secretary of State has produced to me.</p> <p>23 So the next one that I have is at Tab 13 in 24 the binder?</p> <p>25 MR. LAVELLE: And if I could ask the</p>	<p>Page 113</p> <p>1 performance evaluation and expenditure review.</p> <p>2 A. There's what PEER is.</p> <p>3 Q. Sorry. So that's your understanding of 4 what PEER is, right, performance evaluation and 5 expenditure review?</p> <p>6 A. Yes.</p> <p>7 Q. And it's part of the standing joint 8 legislative committee on reapportionment; is that 9 correct?</p> <p>10 MR. BECKETT: Object to the form.</p> <p>11 THE WITNESS: I would assume so. It's in 12 his signature line.</p> <p>13 BY MR. LAVELLE:</p> <p>14 Q. Do you know what is meant by the title 15 "GIS director"?</p> <p>16 A. He has GIS experience.</p> <p>17 Q. And what is GIS an abbreviation for in 18 this context?</p> <p>19 A. Geographic information system.</p> <p>20 Q. So Mr. Collins writes to you "Madalan, 21 are you still the contact person for SEMS? It's 22 time to start farming your data."</p> <p>23 Do you see that?</p> <p>24 A. I do.</p> <p>25 Q. And you respond to him; correct?</p>

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<p>1 A. I did.</p> <p>2 Q. What did you say?</p> <p>3 A. "I'm still here. Please let me know</p> <p>4 exactly what data will help and I will get it</p> <p>5 going."</p> <p>6 Q. Have you ever heard that term before</p> <p>7 "farming data"? "Farming your data"?</p> <p>8 A. Sure.</p> <p>9 Q. What does it mean?</p> <p>10 A. It means gathering data that would be</p> <p>11 available in SEMS.</p> <p>12 Q. Is it a term that you've used previously</p> <p>13 in communications with Mr. Collins about the</p> <p>14 redistricting process?</p> <p>15 A. I don't think I've specifically said</p> <p>16 "farming our data," no. I'm more specific when I</p> <p>17 communicate with him on what information that is</p> <p>18 available in SEMS that they are looking for.</p> <p>19 Q. All right. Do you remember what happened</p> <p>20 next? Did you have any further requests from</p> <p>21 Mr. Collins after this?</p> <p>22 A. I believe that we talked about getting</p> <p>23 the voter turnout data. Just like we had looked at</p> <p>24 earlier, because that's generally the information</p> <p>25 that we provide.</p>	<p>Page 114</p> <p>1 Q. All right. A couple questions here. Who</p> <p>2 is "we" in your sentence there? Who is "we" that</p> <p>3 you were planning to call Ben and Ted with?</p> <p>4 A. Generally I'm going to say that it's</p> <p>5 usually me and probably the ASOS for elections.</p> <p>6 Q. Who is that, the ASOS for elections?</p> <p>7 A. Assistant Secretary of State for</p> <p>8 Elections. Let's see, in December of 2020, it</p> <p>9 probably was Hawley Robertson.</p> <p>10 Q. And why would Ms. Robertson be on the</p> <p>11 phone with you?</p> <p>12 A. Because, as the assistant secretary for</p> <p>13 elections, I report to her, and generally, with</p> <p>14 these conversations, I have someone from legal with</p> <p>15 me just to make sure that we are providing the</p> <p>16 information that the Secretary of State's office is</p> <p>17 comfortable with since I am an independent</p> <p>18 consultant.</p> <p>19 Q. So you looped in the ASOS, or Assistant</p> <p>20 Secretary of State, for those reasons; is that</p> <p>21 correct?</p> <p>22 A. Yes.</p> <p>23 Q. All right. When you refer to a number</p> <p>24 that was sent earlier in the week, what are you</p> <p>25 talking about?</p>
<p>Page 115</p> <p>1 Q. You had a call with Mr. Collins and with</p> <p>2 Mr. Booth about what they wanted; correct?</p> <p>3 A. Yes.</p> <p>4 MR. LAVELLE: Let's mark Tab 14 as the</p> <p>5 next exhibit, please.</p> <p>6 EXHIBIT TECH: This is Lennep Exhibit 22.</p> <p>7 (Exhibit 22 marked for identification.)</p> <p>8 BY MR. LAVELLE:</p> <p>9 Q. Ms. Lennep, we've marked as Exhibit 22 to</p> <p>10 your deposition another email exchange you had with</p> <p>11 Mr. Collins.</p> <p>12 Do you recognize this?</p> <p>13 A. Yes.</p> <p>14 Q. Is this an email exchange you had with</p> <p>15 Mr. Collins on December 15, 2020?</p> <p>16 A. Yes.</p> <p>17 Q. Mr. Collins writes to you "Madalan, Ted</p> <p>18 and I are a go for a conference call at 1 o'clock</p> <p>19 p.m. tomorrow, December 16th. Shall we call you or</p> <p>20 shall you call us? Either way works for us. Look</p> <p>21 forward to speaking with you."</p> <p>22 And then you respond. What was your</p> <p>23 response?</p> <p>24 A. I say "Yeah, that sounds good. We can</p> <p>25 call you."</p>	<p>Page 115</p> <p>1 A. The phone number? "Should I use" --</p> <p>2 because I said "We will" -- "we can call you.</p> <p>3 Should I use the number you sent early in the week."</p> <p>4 So I'm pretty sure I'm talking about a phone number.</p> <p>5 Q. All right. Mr. Collins sent you a number</p> <p>6 earlier in the week?</p> <p>7 A. I would assume so, yes.</p> <p>8 Q. When you did your search for responsive</p> <p>9 emails, you didn't find any email which he sent a</p> <p>10 phone number, did you?</p> <p>11 A. I don't believe I did. It might have</p> <p>12 just been his -- it might have just been his</p> <p>13 signature line. I mean, there's a phone number</p> <p>14 associated with his signature, as we -- on some -- I</p> <p>15 think on some of the emails.</p> <p>16 Q. Well, there's no phone number in the</p> <p>17 signature line on this document, is there, in</p> <p>18 Exhibit 22?</p> <p>19 A. There is not. Which is probably why I</p> <p>20 said "Should I use the number you sent me earlier in</p> <p>21 the week?"</p> <p>22 Q. Okay. And there wasn't one in the other</p> <p>23 email that we just looked at, Exhibit 21, was there?</p> <p>24 A. I don't see one, no.</p> <p>25 Q. Did you end up speaking with Mr. Collins</p>

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<p>1 and Mr. Booth?</p> <p>2 A. I'm sure I did.</p> <p>3 Q. What do you remember about that</p> <p>4 conversation?</p> <p>5 A. To the best of my recollection, it would</p> <p>6 be discussion of when voter turnout and voter</p> <p>7 history information is available.</p> <p>8 Q. Anything else?</p> <p>9 A. Not that I remember.</p> <p>10 MR. LAVELLE: Let's turn to Tab 15 and</p> <p>11 mark that as the next exhibit, please.</p> <p>12 EXHIBIT TECH: This is Lennep Exhibit 23.</p> <p>13 (Exhibit 23 marked for identification.)</p> <p>14 BY MR. LAVELLE:</p> <p>15 Q. Ms. Lennep, we've marked as Exhibit 23</p> <p>16 another email exchange you had with Mr. Collins.</p> <p>17 Do you see that?</p> <p>18 A. I do.</p> <p>19 Q. And it's an email exchange you had with</p> <p>20 Mr. Collins on December 18, 2020; correct?</p> <p>21 A. Correct.</p> <p>22 Q. Mr. Collins writes to you "Tim wanted me</p> <p>23 to let you know that the letter has been delivered.</p> <p>24 Let me know if I can do anything to help."</p> <p>25 Did I read that correctly?</p>	<p>Page 118</p> <p>1 A. I believe so since they said it was</p> <p>2 delivered.</p> <p>3 Q. And from your standpoint, it was</p> <p>4 important that that be delivered before you provide</p> <p>5 anything in response so that there be a written</p> <p>6 record of what was requested and why --</p> <p>7 MR. BECKETT: Object to form.</p> <p>8 BY MR. LAVELLE:</p> <p>9 Q. -- correct?</p> <p>10 A. Yes. That appears to be, in the work and</p> <p>11 the information we were providing, that was the</p> <p>12 protocol.</p> <p>13 MR. LAVELLE: Let's go to Tab 16, and we</p> <p>14 can mark that as the next exhibit, please.</p> <p>15 EXHIBIT TECH: This is Lennep Exhibit 24.</p> <p>16 (Exhibit 24 marked for identification.)</p> <p>17 BY MR. LAVELLE:</p> <p>18 Q. Ms. Lennep, we've marked as Exhibit 24</p> <p>19 another email exchange you had with Mr. Collins</p> <p>20 that's on June -- sorry -- January 4, 2021.</p> <p>21 Do you see that?</p> <p>22 A. I do.</p> <p>23 Q. And do you recognize this to be an email</p> <p>24 exchange you had with Mr. Collins on January 4,</p> <p>25 2021?</p>
<p>1 A. Yes.</p> <p>2 Q. And then you respond; right?</p> <p>3 A. Yes.</p> <p>4 Q. What was your response?</p> <p>5 A. "Thanks for letting me know. Hope you</p> <p>6 and family have a Merry Christmas."</p> <p>7 Q. And the subject line of this email</p> <p>8 exchange is "Letter is delivered"; right?</p> <p>9 A. Yes.</p> <p>10 Q. What letter is he referring to there?</p> <p>11 A. I believe it's the same as that previous</p> <p>12 email where the legal team requested an official --</p> <p>13 an official request for the information they need --</p> <p>14 that they were asking for, which, again, is voter</p> <p>15 turnout information.</p> <p>16 Q. There's a letter, to the best of your</p> <p>17 recollection, that memorializes what information is</p> <p>18 being requested; right?</p> <p>19 A. Yes, it appears to be.</p> <p>20 Q. Do you have a copy of that letter?</p> <p>21 A. I don't know that that letter went to me.</p> <p>22 It probably went to the assistant secretary, but I</p> <p>23 don't have a copy of it that I know of.</p> <p>24 Q. Presumably the Secretary of State's</p> <p>25 office would have such a letter; is that right?</p>	<p>Page 119</p> <p>1 A. I do.</p> <p>2 Q. Subject line "Tally Ho"?</p> <p>3 A. Yes, it appears to be.</p> <p>4 Q. "Tally Ho" like what they say at the</p> <p>5 start of a race, something like that?</p> <p>6 A. It appears so. I mean, that email didn't</p> <p>7 originate with me so I don't know -- I guess it's</p> <p>8 just off we go. So -- but I can't tell you why he</p> <p>9 named the email "Tally Ho." He was just having a</p> <p>10 little holiday cheer, I guess, after the holidays</p> <p>11 were over.</p> <p>12 Q. Very good.</p> <p>13 A. I don't know.</p> <p>14 Q. So Mr. Collins writes to you "Madalan,</p> <p>15 Ted wanted me to follow up about the data</p> <p>16 request.... less than an hour and a half after the</p> <p>17 holiday is over. Sorry. Shrug."</p> <p>18 A. So now your "Tally Ho" makes a lot more</p> <p>19 sense, doesn't it? They were off to the races</p> <p>20 again.</p> <p>21 Q. And your response is?</p> <p>22 A. "I took a few days off, but I will check</p> <p>23 on the status today."</p> <p>24 Q. And these are the data requests to</p> <p>25 support redistricting; correct?</p>

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<p style="text-align: right;">Page 122</p> <p>1 A. This is the voter information that's 2 available in SEMS as far as voter turnout that we 3 provided, yes.</p> <p>4 Q. All right. The next document I want to 5 show you, or the next couple of documents, some of 6 them did not end up in the book because of a 7 printing error. But I can show them to you on the 8 screen, and that's what I want to show you is on 9 Tab 38?</p> <p>10 MR. LABELLE: So if the concierge can 11 mark that as an exhibit, please, and we can take a 12 look at that on the screen.</p> <p>13 EXHIBIT TECH: Please stand by. This is 14 Lennep Exhibit 25. (Exhibit 25 marked for identification.)</p> <p>15 BY MR. LABELLE:</p> <p>16 Q. Ms. Lennep, we've marked for 17 identification as Exhibit 25 an email exchange that 18 you had.</p> <p>19 Do you recognize this?</p> <p>20 A. Yes.</p> <p>21 Q. Is this an email exchange you had with 22 Mr. Collins on January 25, 2021?</p> <p>23 A. Yes.</p> <p>24 Q. Subject line "Checking in for</p>	<p style="text-align: right;">Page 124</p> <p>1 Q. All right. The next exhibit -- we're 2 finished with this one. The next one is at Tab 24 3 in your binder.</p> <p>4 A. Yes.</p> <p>5 MR. LABELLE: Let's mark that as the next 6 exhibit please.</p> <p>7 EXHIBIT TECH: 24. This is Lennep 8 Exhibit 26. (Exhibit 26 marked for identification.)</p> <p>9 BY MR. LABELLE:</p> <p>10 Q. Ms. Lennep, we've marked as Exhibit 26 11 for identification another email exchange.</p> <p>12 Do you see this?</p> <p>13 A. I do.</p> <p>14 Q. Do you recognize it?</p> <p>15 A. I do.</p> <p>16 Q. Is this an email exchange you had with 17 Mr. Collins on January 25, 2021?</p> <p>18 A. It is.</p> <p>19 Q. It's a follow-up to Mr. Collins's email 20 that we looked at just a moment ago; correct?</p> <p>21 A. Correct.</p> <p>22 Q. And what did you write to Mr. Collins in 23 your email at the top of this page?</p> <p>24 A. "Here are the vote results by precinct</p>
<p style="text-align: right;">Page 123</p> <p>1 redistricting"?</p> <p>2 A. Yes.</p> <p>3 Q. Mr. Collins writes to you "Madalan, are 4 you back in the office yet?"</p> <p>5 And you respond; correct?</p> <p>6 A. I did.</p> <p>7 Q. And your response was?</p> <p>8 A. "I am back and working on your reports. 9 I can send over the vote total reports by precinct. 10 The turnout reports have to be pulled county at a 11 time, which has slowed me down a bit."</p> <p>12 Q. Why do the turnout reports have to be 13 pulled a county at a time?</p> <p>14 A. Because it's the way that SEMS is 15 designed. It's designed to be -- to follow the 16 protocol and the law that we use here in 17 Mississippi, which is, as I explained earlier, what 18 we call bottom up. So the counties have independent 19 data tables in SEMS. And in many cases, even as a 20 state user, I can't cross over county lines to 21 provide consolidated information. It has to be 22 pulled county at a time.</p> <p>23 Q. Is that what you ended up doing, pulling 24 the turnout reports county at a time?</p> <p>25 A. Uh-huh, yes.</p>	<p style="text-align: right;">Page 125</p> <p>1 for the three races you requested. Please take a 2 look and let me know if you have any questions. I 3 will continue working on the voter turnout reports."</p> <p>4 Q. What are the three races that were 5 requested by Mr. Collins?</p> <p>6 A. They are listed there in the top of the 7 email, the attachments but it's U.S. Senate 2020, 8 U.S. Senate 2020 -- I guess one was the -- probably 9 the special. The other maybe was the regular 10 election. I'd have to look. And then U.S. 11 Senate -- no, there's the special election -- 2018. 12 So it must have been the primary and the general. 13 I'll have to look.</p> <p>14 Q. We can show you the documents that were 15 attached next. That will be the next exhibit. But 16 in any event, these are voting results from U.S. 17 Senate races in 2018 and 2020; correct?</p> <p>18 A. That's correct.</p> <p>19 Q. All right. So let's mark as the next 20 exhibit what's at Tab 25, which are the printouts of 21 the attachments to that email.</p> <p>22 A. Okay. So the first one -- so this goes 23 through by precinct.</p> <p>24 EXHIBIT TECH: This is Exhibit 27.</p> <p>25 MR. LABELLE: Yes.</p>

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<p style="text-align: right;">Page 126</p> <p>1 (Exhibit 27 marked for identification.)</p> <p>2 BY MR. LAVELLE:</p> <p>3 Q. So, Ms. Lennep, can you tell us what's in</p> <p>4 Exhibit 27?</p> <p>5 A. Yes. Yes -- wait -- yeah, what you're</p> <p>6 showing me is just the attachments.</p> <p>7 Q. Those are the attachments to the email we</p> <p>8 previously looked at, Exhibit 26?</p> <p>9 A. Yes, but the way you've scanned these or</p> <p>10 whatever, it's --</p> <p>11 MR. BECKETT: It just presents</p> <p>12 differently than it did in the binder.</p> <p>13 MR. LAVELLE: Unfortunately, I don't have</p> <p>14 control of the way it looks on the electronic page,</p> <p>15 but it's printed out in a way that it's, I think,</p> <p>16 easier to read and it's in your binder in a way</p> <p>17 that's easier to read.</p> <p>18 THE WITNESS: Yes.</p> <p>19 BY MR. LAVELLE:</p> <p>20 Q. It should be identical. So just looking</p> <p>21 at this, can you tell us what's in the reports or</p> <p>22 attached to as Exhibit 27?</p> <p>23 A. Yes, it has the race title, the candidate</p> <p>24 name, the political party, and then it has votes</p> <p>25 cast for each of those candidates in each county by</p>	<p style="text-align: right;">Page 128</p> <p>1 what I did with my glasses. Hold on just a second.</p> <p>2 BY MR. LAVELLE:</p> <p>3 Q. Again, I apologize. There was a printing</p> <p>4 error so a couple of documents did not end up in</p> <p>5 that binder. So this one, I'm afraid you will have</p> <p>6 to look at on the screen.</p> <p>7 A. Yes, just one second. I dropped them in</p> <p>8 my bottomless pit of a purse.</p> <p>9 Okay.</p> <p>10 Q. All right. The bottom email is one we</p> <p>11 looked at earlier; correct?</p> <p>12 A. Yes.</p> <p>13 Q. An email from Mr. Collins to you,</p> <p>14 January 25, 2021?</p> <p>15 A. Yes.</p> <p>16 Q. And the next email up is your response,</p> <p>17 which we were looking at just a couple moments ago;</p> <p>18 right?</p> <p>19 A. Yes.</p> <p>20 Q. All right. So above that one is an email</p> <p>21 from Mr. Collins to you dated June 16, 2021;</p> <p>22 correct?</p> <p>23 A. Yes.</p> <p>24 Q. And Mr. Collins writes to you, "Madalan,</p> <p>25 we are building the data library, and the last email</p>
<p style="text-align: right;">Page 127</p> <p>1 precinct in a spreadsheet format.</p> <p>2 Q. So these are the complete vote results by</p> <p>3 precinct for the U.S. Senate elections that are</p> <p>4 reported here; is that correct?</p> <p>5 A. Yes.</p> <p>6 Q. Then this is data that was pulled in the</p> <p>7 form of reports from SEMS?</p> <p>8 A. Yes, in the form of an extract, yes.</p> <p>9 Q. Is there any data that you needed to add</p> <p>10 to this report, or did it just come out of SEMS the</p> <p>11 way that you requested it?</p> <p>12 A. No. This is just straight out of SEMS.</p> <p>13 Q. All right. Let's go to the next exhibit.</p> <p>14 We're finished with this one. The next one is</p> <p>15 another one that was a printing error and it's not</p> <p>16 in the book, but it is at electronic Tab 39.</p> <p>17 EXHIBIT TECH: This is Exhibit Lennep 28.</p> <p>18 (Exhibit 28 marked for identification.)</p> <p>19 BY MR. LAVELLE:</p> <p>20 Q. Ms. Lennep, we've marked as Exhibit 28</p> <p>21 for identification another email exchange.</p> <p>22 Do you recognize this?</p> <p>23 MR. BECKETT: You don't have a Tab 39.</p> <p>24 You're going to have to look at the screen.</p> <p>25 THE WITNESS: Yeah, I know. I don't know</p>	<p style="text-align: right;">Page 129</p> <p>1 from January 25 has a duplicate file. I think we</p> <p>2 are missing the Reeves/Hood 2019 governor's race</p> <p>3 performance by precinct. Can you resend?"</p> <p>4 Did I read that correctly?</p> <p>5 A. Yes.</p> <p>6 Q. And you respond; right?</p> <p>7 A. Yes.</p> <p>8 Q. What was your response?</p> <p>9 A. "I've been working on it now." So that's</p> <p>10 why there were two of the same ones in the previous</p> <p>11 email on this one.</p> <p>12 Q. All right. The next one is another one</p> <p>13 that we have only in electronic form. That's</p> <p>14 electronic Tab 40.</p> <p>15 EXHIBIT TECH: This is Lennep Exhibit 29.</p> <p>16 (Exhibit 29 marked for identification.)</p> <p>17 BY MR. LAVELLE:</p> <p>18 Q. Exhibit 29, Ms. Lennep, is another email</p> <p>19 exchange you had with Mr. Collins; right?</p> <p>20 A. Yes.</p> <p>21 Q. Some of this we've seen before?</p> <p>22 A. Yes.</p> <p>23 Q. The bottom one. The bottom two we've</p> <p>24 seen before; correct?</p> <p>25 A. Yes.</p>

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<p style="text-align: right;">Page 130</p> <p>1 Q. And then the next one from June 16 we 2 just looked at a moment ago; correct?</p> <p>3 A. Yes.</p> <p>4 Q. Now there's a new email on the top from 5 you to Mr. Collins on June 17, 2021; correct?</p> <p>6 A. Yes.</p> <p>7 Q. All right. What did you write to 8 Mr. Collins at that time?</p> <p>9 A. "Sorry for the delay. Please see 10 attached. Are you still interested in voter turnout 11 by precinct? Here's a sample for Adams County 2020 12 general. This has to be done one county at a time 13 by election, but I will be happy to provide if it 14 will be useful."</p> <p>15 Q. And it looks like you attach two files to 16 your email to Mr. Collins; right?</p> <p>17 A. Yes.</p> <p>18 Q. What did you send him?</p> <p>19 A. The governor's result that he said I was 20 missing in the previous email and then the Adams 21 County turnout report just like all the other 22 turnout reports we've looked at.</p> <p>23 Q. Do you recall whether you ended up 24 sending him turnout reports for each county?</p> <p>25 A. I did.</p>	<p style="text-align: right;">Page 132</p> <p>1 A. Yes.</p> <p>2 Q. Right?</p> <p>3 A. Yes.</p> <p>4 Q. Do you remember if Mr. Collins called you 5 in July of 2021?</p> <p>6 A. I'm sure he did.</p> <p>7 Q. Do you remember what he asked you about?</p> <p>8 A. Other than data pertaining to the SEMS 9 reports, no.</p> <p>10 Q. Did you remind Mr. Collins that he needed 11 to put the request in writing so there would be a 12 record of it?</p> <p>13 MR. BECKETT: Object to the form.</p> <p>14 THE WITNESS: I believe -- no, I did not 15 remind him.</p> <p>16 BY MR. LAVELLE:</p> <p>17 Q. Well, that was the standard practice, 18 right, was that the requests were supposed to be in 19 writing so there was a record of it; right?</p> <p>20 MR. BECKETT: Same objection.</p> <p>21 THE WITNESS: But the request, I believe, 22 was already in writing.</p> <p>23 BY MR. LAVELLE:</p> <p>24 Q. Which writing? The letter that we 25 haven't seen?</p>
<p style="text-align: right;">Page 131</p> <p>1 MR. BECKETT: What's the date of that 2 email.</p> <p>3 MR. LAVELLE: June 17, 2021.</p> <p>4 MR. BECKETT: Thank you.</p> <p>5 BY MR. LAVELLE:</p> <p>6 Q. All right. We're ready for the next 7 exhibit. We can finish with this one. And the next 8 one is Tab 17 in the binder.</p> <p>9 EXHIBIT TECH: This is Lennep Exhibit 30. 10 (Exhibit 30 marked for identification.)</p> <p>11 BY MR. LAVELLE:</p> <p>12 Q. Ms. Lennep we've marked for 13 identification as Exhibit 30 a email exchange you 14 had with Mr. Collins on July 8, 2021.</p> <p>15 Do you recognize this?</p> <p>16 A. Yes.</p> <p>17 Q. Mr. Collins writes to you on July 8, 18 2021, "Madalan, I would like to speak with you by 19 phone. Is there a time and number that is 20 convenient for you"; right?</p> <p>21 A. Yes.</p> <p>22 Q. And you respond; right?</p> <p>23 A. Yes. "You can call me anytime on my cell 24 phone."</p> <p>25 Q. Then you give a cell phone number?</p>	<p style="text-align: right;">Page 133</p> <p>1 A. Yes.</p> <p>2 Q. So you think that this was a request for 3 some subset of what was requested in that letter?</p> <p>4 A. Yes, because the -- based on my records, 5 the only thing I've sent to PEER are the things that 6 we've discussed today.</p> <p>7 Q. If we look at that letter from back in 8 January of 2021, we're going to see references to 9 things like the Reeves/Hood 2019 governor's race 10 performance by precinct request.</p> <p>11 A. I don't -- I can't answer that question.</p> <p>12 Q. You don't recall whether the letter went 13 into that level of detail?</p> <p>14 A. I don't.</p> <p>15 Q. All right. Let's go to the next exhibit, 16 Tab 18, please.</p> <p>17 EXHIBIT TECH: This is Lennep Exhibit 31. 18 (Exhibit 31 marked for identification.)</p> <p>19 BY MR. LAVELLE:</p> <p>20 Q. Ms. Lennep, we've marked as Exhibit 31 21 for identification another email exchange you had 22 with Mr. Collins.</p> <p>23 A. Yes.</p> <p>24 Q. Do you see it?</p> <p>25 A. I do.</p>

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<p style="text-align: right;">Page 134</p> <p>1 Q. All right. Mr. Collins writes to you on 2 July 9, 2021; correct? 3 A. Yes. 4 Q. And Mr. Collins writes to you "Hey, 5 Madalan" -- and this is -- the subject is "Follow-up 6 redistricting request." He writes "Hey, Madalan, as 7 a follow-up request, the redistricting committee 8 council directed that we gather the precinct level 9 election returns for the attorney general race in 10 2019 between Lynn Fitch and Jennifer Riley Collins. 11 The format of the previous returns you sent worked 12 well for us so please send in the same format. 13 "Additionally the county-level turnout 14 results that we previously discussed are also a 15 great utility and, therefore, we request the full 82 16 county record. 17 "Madalan, thank you so much for all you 18 have done for this office now and over many years. 19 It's good to know you're there." 20 Did I read that correctly? 21 A. Yes. 22 Q. All right. And did you respond to 23 Mr. Collins? 24 A. Yes. 25 Q. What was your response?</p>	<p style="text-align: right;">Page 136</p> <p>1 A. Yes. 2 Q. What is Exhibit 32? 3 A. It's the race results for that contest by 4 county and precinct. 5 Q. The state attorney general race for 2019? 6 A. Yes. The vote totals for each candidate 7 by county and precinct in that election. 8 Q. So on your email exchange with 9 Mr. Collins relating to this request, which we just 10 looked at as the previous exhibit, there was a Kyle 11 Kirkpatrick also copied on the email? 12 A. Yes. 13 Q. Do you know Kyle Kirkpatrick? 14 A. I do. 15 Q. Who is Mr. Kirkpatrick? 16 A. He's the current Assistant Secretary of 17 State for Elections. 18 Q. So he's looped into your communications 19 with Mr. Collins for legal purposes? 20 A. Yes. And because, I mean, he directs my 21 work product. 22 Q. Bottom line is he, or whoever holds that 23 office, has to approve whatever you are sending to 24 Mr. Collins; is that right? 25 A. Yes. We -- yes. I mean, we communicate</p>
<p style="text-align: right;">Page 135</p> <p>1 MR. LAVELLE: You have to scroll up, 2 whoever is controlling the screen here. 3 THE WITNESS: "Sorry for the delay. Had 4 a technical difficulty, but please see the attached 5 Fitch/Collins result by precinct." 6 BY MR. LAVELLE: 7 Q. And you can tell from the email that you 8 sent that you actually did attach the report from 9 the attorney general race from 2019; correct? 10 A. That's correct. And it would be the same 11 report as under our Tab 19. It's just that voter -- 12 the votes cast report for that race. 13 Q. By county and by each precinct? 14 A. That's correct. 15 Q. All right. And just to confirm that, 16 we'll look at the next exhibit as Tab 19 in your 17 binder? 18 MR. LAVELLE: We'll mark that as the next 19 exhibit, please. 20 EXHIBIT TECH: This is Exhibit 32. 21 (Exhibit 32 marked for identification.) 22 BY MR. LAVELLE: 23 Q. All right. And, again, the formatting 24 here on the electronic version is not ideal, but do 25 you recognize Exhibit 32?</p>	<p style="text-align: right;">Page 137</p> <p>1 with each other and make sure we know what we're 2 doing. Yes. 3 Q. How do you typically do that when you get 4 requests like this? Obviously we've been looking 5 at, for the past hour plus, a whole array of 6 requests that you received from Mr. Collins or 7 Mr. Booth or a combination thereof. How did you vet 8 those requests with the Secretary of State's office? 9 A. Generally, it's just a discussion. I 10 mean, I'm in the office quite often and we discuss 11 it, and then you'll see that I copy them on the work 12 product. So... 13 MR. LAVELLE: All right. We're finished 14 with this exhibit. Let's mark as the next exhibit 15 Tab 20 in the binder. 16 EXHIBIT TECH: It's Lennep Exhibit 33. 17 (Exhibit 33 marked for identification.) 18 BY MR. LAVELLE: 19 Q. Ms. Lennep, we've marked as Exhibit 33 20 another email exchange you had with Mr. Collins. 21 Do you recognize this? 22 A. Yes. 23 Q. Mr. Collins writes to you on July 20, 24 2021, "Hey, Madalan, thanks for the AG race data. 25 Awesome. Trying to finalize the data collection and</p>

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<p style="text-align: right;">Page 138</p> <p>1 wanted to follow up about the turnout data.      2 Thanks."</p> <p>3 Did I read that correctly?</p> <p>4 A. Yes.</p> <p>5 Q. And what was your response?</p> <p>6 A. "Hi, Ben. Will try to have it finished      7 this week. A couple of questions: Do you want the      8 counties I have already done? Do you need turnout      9 for the AG's race as well as the others?"</p> <p>10 Q. And then he responds "End of week sounds      11 good. Wait until they are all done. Yes, if we're      12 getting the other three, we will need it for the AG      13 race as well. Thanks so much."</p> <p>14 And then you send a response?</p> <p>15 A. "Hi, Ben. Did you receive the files I      16 sent last night? Three different emails."</p> <p>17 Q. And he responds "Yes, ma'am. I'm hot on      18 something else, so it might take a minute to circle      19 back it. Heady times."</p> <p>20 And you respond?</p> <p>21 A. "No problem. Just wanted to make sure it      22 got through the email filters. Hope to send AG      23 soon."</p> <p>24 Q. Do you know what Mr. Collins meant when      25 he said "heady times"?</p>	<p style="text-align: right;">Page 140</p> <p>1 on precinct names and polling locations and that      2 sort of thing.</p> <p>3 Q. All right. I think we're finished with      4 this exhibit. Let's go to what is, again, this is      5 one that didn't print or due to a little printing      6 error. But it's electronic Tab 41.</p> <p>7 EXHIBIT TECH: This is Lennep Exhibit 34.      8 (Exhibit 34 marked for identification.)</p> <p>9 BY MR. LAVELLE:</p> <p>10 Q. All right. Ms. Lennep, we've marked as      11 Exhibit 34 for identification an email you sent to      12 Mr. Collins. Taking a look at the top, the date is      13 July 26, 2021. Is this one of the three separate      14 emails that you had referenced as having sent to      15 Mr. Collins with turnout data?</p> <p>16 A. So I sent them on the 26th, yes.</p> <p>17 Q. And this was the one that has the      18 governor's race turnout from 2019; right?</p> <p>19 MR. BECKETT: Object to the form.</p> <p>20 THE WITNESS: It says the subject is      21 "Turnout 2018 senate special election."</p> <p>22 BY MR. LAVELLE:</p> <p>23 Q. Sorry. Are you looking at the screen      24 that I am looking at right now?</p> <p>25 A. No, sir. I was looking at the --</p>
<p style="text-align: right;">Page 139</p> <p>1 MR. BECKETT: Object to the form.      2 THE WITNESS: That they are busy.</p> <p>3 BY MR. LAVELLE:</p> <p>4 Q. We'll take a look at the three different      5 emails you sent momentarily, but do you remember      6 generally what those emails concerned?</p> <p>7 A. It appears that they're the AG      8 information as well as the county turnout reports.</p> <p>9 Q. These are turnout data reports; right?</p> <p>10 A. Yes.</p> <p>11 Q. Why would turnout data be important for      12 redistricting?</p> <p>13 MR. BECKETT: Object to the form.</p> <p>14 THE WITNESS: I can't answer that.</p> <p>15 BY MR. LAVELLE:</p> <p>16 Q. No one has ever explained that to you?</p> <p>17 A. Not specifically, no.</p> <p>18 Q. How about generally?</p> <p>19 A. We've never discussed what they do with      20 turnout numbers.</p> <p>21 Q. Have you discussed with them what they do      22 with any of the data that you provide?</p> <p>23 A. Not specifically, other than the fact      24 that, like we talked about with precincts. I mean,      25 precincts change so they are trying to keep updated</p>	<p style="text-align: right;">Page 141</p> <p>1 MR. BECKETT: John, that's a different      2 document that's under Tab 21 that we have. So it is      3 a different document. This is --</p> <p>4 MR. LAVELLE: Oh, I'm sorry.</p> <p>5 MR. BECKETT: So it may be the printing      6 error. But the one in the binder, the subject line      7 is "Turnout 2018 senate special election." So if      8 she needs to look at the screen, we need to --</p> <p>9 THE WITNESS: Just remind me.</p> <p>10 BY MR. LAVELLE:</p> <p>11 Q. We'll come back to the one that's at      12 Tab 21. Let's look at this one right here that has      13 been marked as Exhibit 34.</p> <p>14 This was sent on July 26, 2021; correct?</p> <p>15 A. Yes.</p> <p>16 Q. By you to Mr. Collins?</p> <p>17 A. Yes.</p> <p>18 Q. And what's the subject line that you      19 wrote here?</p> <p>20 A. "Turnout for governor 2019."</p> <p>21 Q. Would you agree with me, just by looking      22 at the -- what appears to be the listing of the      23 exhibits, that this is a series of spreadsheets,      24 county by county, showing the governor turnout      25 numbers?</p>

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<p>1 A. Yes.</p> <p>2 Q. And that's typically how you would get 3 these kind of reports is individual county basis?</p> <p>4 A. Yes.</p> <p>5 Q. All right. Let's go to Tab 21.</p> <p>6 MR. LABELLE: And let's mark that as the 7 next exhibit, please.</p> <p>8 EXHIBIT TECH: This is Lennep Exhibit 35. (Exhibit 35 marked for identification.)</p> <p>10 BY MR. LABELLE:</p> <p>11 Q. And this is the one you were looking at 12 earlier. This is Exhibit Lennep 35.</p> <p>13 MR. BECKETT: Yeah, that's it.</p> <p>14 BY MR. LABELLE:</p> <p>15 Q. Do you recognize this?</p> <p>16 A. Yes.</p> <p>17 Q. This is another one of those emails that 18 you sent to Mr. Collins on July 26, 2021; right?</p> <p>19 A. Yes.</p> <p>20 Q. And this is the printout for the 2018 21 senate special election, according to the subject 22 line; right?</p> <p>23 A. Yes.</p> <p>24 Q. Same format we saw earlier, which is a 25 series of county-by-county spreadsheets?</p>	<p>Page 142</p> <p>1 BY MR. LABELLE:</p> <p>2 Q. Ms. Lennep, we've marked as Exhibit 37 3 for identification an email from you to Mr. Collins 4 dated July 29, 2021.</p> <p>5 Do you recognize this?</p> <p>6 A. Yes.</p> <p>7 Q. Is this an email you sent to Mr. Collins 8 on that day?</p> <p>9 A. Yes.</p> <p>10 Q. What's it about?</p> <p>11 A. The subject line is "Attorney general 12 2019 turnout numbers."</p> <p>13 Q. Again, a county-by-county series of 14 spreadsheets reporting the turnout in the 2019 15 attorney general race; correct?</p> <p>16 A. Correct.</p> <p>17 Q. Sent to Mr. Collins pursuant to his 18 request?</p> <p>19 A. Yes.</p> <p>20 Q. All right. We can close that up. I'm 21 finished with that exhibit.</p> <p>22 Now, we've just spent some time going 23 through a number of specific races for which you 24 were requested to provide reports to Mr. Collins. 25 Do you know why Mr. Collins had selected and</p>
<p>1 A. Yes.</p> <p>2 Q. This was, again, something you sent to 3 Mr. Collins pursuant to his request?</p> <p>4 A. Yes.</p> <p>5 Q. All right. And then last, but not least, 6 this is another one that we don't have in the binder 7 but I can show it to you in electronic form, Tab 42.</p> <p>8 EXHIBIT TECH: This is Lennep Exhibit 36. (Exhibit 36 marked for identification.)</p> <p>10 BY MR. LABELLE:</p> <p>11 Q. Ms. Lennep, do you recognize what we've 12 marked for identification as Exhibit 36?</p> <p>13 A. Yes.</p> <p>14 Q. Is this an email you sent to Mr. Collins 15 on July 26, 2021?</p> <p>16 A. Yes.</p> <p>17 Q. Subject "Turnout for senate 2020"?</p> <p>18 A. Yes.</p> <p>19 Q. Again, county-by-county reports of the 20 turnout in the senate election in 2020?</p> <p>21 A. Yes.</p> <p>22 Q. All right. We're finished with that one. 23 Now we can go to Tab 23 of the binder.</p> <p>24 EXHIBIT TECH: This is Lennep Exhibit 37. (Exhibit 37 marked for identification.)</p>	<p>Page 143</p> <p>1 requested those particular races?</p> <p>2 MR. BECKETT: Object to the form.</p> <p>3 THE WITNESS: I do not.</p> <p>4 BY MR. LABELLE:</p> <p>5 Q. Were there any other reports that you 6 were requested to provide that you were not able to 7 provide?</p> <p>8 A. Not to my knowledge.</p> <p>9 Q. Were there any reports that were 10 requested of the Department of State that you were 11 not involved in fulfilling, either because you were 12 unavailable or because they required someone else's 13 input to provide?</p> <p>14 MR. BECKETT: Object to the form.</p> <p>15 THE WITNESS: I don't -- I don't know how 16 I could answer that.</p> <p>17 BY MR. LABELLE:</p> <p>18 Q. Were you aware of any requests that were 19 submitted to the Department of State that you didn't 20 have any involvement in responding to?</p> <p>21 A. No, not to my knowledge.</p> <p>22 Q. Is there anybody else who would have -- 23 who, to your knowledge, was involved in generating 24 SEMS reports for the redistricting efforts, other 25 than yourself?</p>

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<p>1 A. I don't really know that this reporting 2 could be specifically -- or that kind of reporting 3 could be specifically designated as redistricting. 4 So I'm not sure. I mean, there are other 5 individuals at the Secretary of State's office that 6 can pull reports. But to my knowledge, nothing -- 7 nothing with PEER that I know of.</p> <p>8 Q. Do you have any other correspondence with 9 Mr. Collins during 2020 or 2021 that you haven't 10 produced to us pursuant to the subpoena?</p> <p>11 A. Not that I know of.</p> <p>12 Q. Were you looking for correspondence you 13 had with Mr. Collins?</p> <p>14 A. I did.</p> <p>15 Q. How about with Mr. Booth? Did you have 16 any other correspondence with Mr. Booth during 2020 17 or 2021 that you did not produce pursuant to the 18 subpoena?</p> <p>19 A. Not that I know of.</p> <p>20 Q. Are you aware that there were public 21 hearings held concerning the redistricting process 22 in 2021 and 2022?</p> <p>23 A. Was I aware?</p> <p>24 Q. Yes. Are you aware that there were 25 public hearings held?</p>	<p>Page 146</p> <p>1 BY MR. LABELLE: 2 Q. Ms. Lennep, a few follow-up areas on what 3 kind of data there might be on certain things. It 4 may well be things that there is no data on. But 5 given your experience and expertise in the SEMS 6 database and in what records the Department of State 7 has access to, I want to ask you about them.</p> <p>8 Do you know whether the Secretary of State 9 tracks historical trends in voter registration?</p> <p>10 A. We do not.</p> <p>11 Q. You did see that you are able to generate 12 reports on turnout?</p> <p>13 A. Yes.</p> <p>14 Q. Does the department -- Secretary of State 15 do any kind of tracking or analysis of changes in 16 turnout over time?</p> <p>17 A. No. I mean, we have that information. 18 We report that information to the federal government 19 after every federal general election, all kinds of 20 statistics. But as far as SEMS providing any type 21 of data mining or analysis of any of that 22 information that's contained in SEMS, no.</p> <p>23 Q. If someone wanted to, the data is there 24 and is retained and those reports could be 25 generated, in theory; correct?</p>
<p>1 A. Yes.</p> <p>2 Q. Were you asked to participate in any of 3 those?</p> <p>4 A. No.</p> <p>5 Q. Did you attend any of those?</p> <p>6 A. No.</p> <p>7 Q. Have you read the transcripts of any of 8 them?</p> <p>9 A. No.</p> <p>10 MR. LABELLE: Why don't we take a brief 11 break here for, like, five minutes.</p> <p>12 MR. BECKETT: That will be fine.</p> <p>13 John, do you have an idea about for 14 timing.</p> <p>15 MR. LABELLE: Yeah, we're pretty close to 16 finished. My guess is I've got maybe 10, 15 minutes 17 left.</p> <p>18 MR. BECKETT: That would be great. Let's 19 take a quick break.</p> <p>20 THE WITNESS: Okay.</p> <p>21 THE VIDEOGRAPHER: The time is 2:07 p.m. 22 we're off the record.</p> <p>23 (Off the record)</p> <p>24 THE VIDEOGRAPHER: We're back on the 25 record. The time is 2:18 p.m.</p>	<p>Page 147</p> <p>1 A. In theory, with specialized queries 2 developed for a specific request, I guess so.</p> <p>3 Q. Do you know whether the Secretary of 4 State conducts any research related to voter 5 registration?</p> <p>6 A. Other than I know registration numbers 7 are included in, like, our annual report that is 8 produced each fiscal year, other than that, I mean, 9 like I said, there is no statistical analysis that I 10 know of that is done with that information.</p> <p>11 Q. You don't know, for example, whether the 12 Secretary of State's office has attempted to 13 determine the percentage of eligible voters who 14 have, in fact, registered to vote in different 15 districts?</p> <p>16 A. No, no. I would have to think through 17 even the formula to get to that, but no.</p> <p>18 Q. Are you aware of any efforts by the 19 Secretary of State to increase voter turnout?</p> <p>20 MR. BECKETT: Object to the form.</p> <p>21 THE WITNESS: Based on the commercials 22 and the communications that are done by the 23 Secretary of State communication director just to 24 the general public, yes, I do see, not as part of my 25 role at Secretary of State, but I do see, as a</p>

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<p style="text-align: right;">Page 150</p> <p>1 resident of the state, that the secretary does make 2 an effort to promote voter registration and voter 3 roll -- and voter turnout in election cycles.</p> <p>4 BY MR. LABELLE:</p> <p>5 Q. Are you involved in that work?</p> <p>6 A. No.</p> <p>7 Q. Do you know whether the Secretary of State's office has looked at geographic -- the disparities in voter registration?</p> <p>10 MR. BECKETT: Object to the form.</p> <p>11 THE WITNESS: No.</p> <p>12 BY MR. LABELLE:</p> <p>13 Q. Whether the Secretary of State has looked at racial disparities in voter registration?</p> <p>15 MR. BECKETT: Object to the form.</p> <p>16 THE WITNESS: Not that I know of, no.</p> <p>17 BY MR. LABELLE:</p> <p>18 Q. And has the Secretary of State ever looked at whether or not polarized voting exists in Mississippi elections?</p> <p>21 MR. BECKETT: Object to the form.</p> <p>22 THE WITNESS: No, not that I know of. Again, making sure to clarify that, based on my knowledge, no.</p> <p>25 BY MR. LABELLE:</p>	<p style="text-align: right;">Page 152</p> <p>1 Q. And what did you -- what do you remember telling the three-judge panel of the court?</p> <p>3 A. It seems the central question at the point I was testifying was how quickly redistricting could be completed statewide. And what I told them was that the three-day time frame that was thrown away was -- that was thrown around during the discussions was not reasonable.</p> <p>9 Q. Sorry. Three-day --</p> <p>10 A. Three-day.</p> <p>11 Q. -- time frame?</p> <p>12 A. Three-day, yes.</p> <p>13 Q. Can you explain what you mean by that?</p> <p>14 A. That all the redistricting for the state could be done by each county in a three-day time period.</p> <p>17 Q. And you testified that it would take longer than that; correct?</p> <p>19 A. That's correct.</p> <p>20 Q. In your estimate, more like a couple of months?</p> <p>22 A. Yes. Again, I mean, it's kind of like how long is a piece of string? It depends on what changes need to be made, how big the county is, how good the address library or address index data is to</p>
<p style="text-align: right;">Page 151</p> <p>1 Q. Understood. Understood. I wanted to show you one last document that is at Tab 26 in your binder. Do you have that in front of you?</p> <p>4 MR. LABELLE: And we'll mark that as the next exhibit, please.</p> <p>6 EXHIBIT TECH: This is Lennep Exhibit 38. (Exhibit 38 marked for identification.)</p> <p>8 BY MR. LABELLE:</p> <p>9 Q. Ms. Lennep, we've marked as Exhibit 38 for identification an article from the "Clarion-Ledger" from May 11, 2011. And the article is titled "Judges Aware of Looming Elections, Vow to Address Redistricting Quickly." Do you recall there being a redistricting litigation before a three-judge federal court back in 2011?</p> <p>16 A. Yes.</p> <p>17 Q. Do you remember being asked to comment at that time about what would happen if the court required redistricting to be done in terms of how long it would take?</p> <p>21 A. I didn't comment to the press, but I was a witness in that case.</p> <p>23 Q. You testified to the court on that topic; is that right?</p> <p>25 A. That's correct.</p>	<p style="text-align: right;">Page 153</p> <p>1 be input into SEMS. So there are a lot of outside factors that go into how long it can take.</p> <p>3 Q. What ended up happening in 2011 with respect to redistricting, as you recall?</p> <p>5 A. The three-judge panel determined that it was not reasonable, and the redistricting was postponed until the 2015 time frame or election.</p> <p>8 Q. And then new districts were put in place for the 2015 election?</p> <p>10 A. That's correct.</p> <p>11 Q. And how long did it take to do the work in order to get the 2015 map in place?</p> <p>13 A. Months. Again, I mean, each county has to determine how they approach the process. So the lines change, the precinct lines may have been changed by the county. Whether you can get good address library data from your mapping company. There are just numerous variables, but we did get it all in place for -- prior to the 2015 election cycle.</p> <p>21 Q. Ms. Lennep, I am finished the questions that I wanted to ask with you -- ask of you today. There are a couple areas that I will follow up with your counsel on with respect to the subpoena. But I want to thank you for your time and your attention</p>

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<p>1 and your willingness to answer questions today.      2 A. Sure. Thank you.      3 MR. BECKETT: So this is Ryan Beckett.      4 We don't have anything.      5 THE VIDEOGRAPHER: With nothing further,      6 the time is 2:29 p.m. We're off the record.      7 (Whereupon, the above-entitled deposition was      8 concluded at 2:29 p.m.)      9      10      11      12      13      14      15      16      17      18      19      20      21      22      23      24      25</p>	<p>Page 154</p> <p>1 UNITED STATES DISTRICT COURT      2 SOUTHERN DISTRICT OF MISSISSIPPI      3 NORTHERN DIVISION      4 MISSISSIPPI STATE CONFERENCE OF THE PLAINTIFFS      5 NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE; DR.      6 ANDREA WESLEY; DR. JOSEPH WESLEY;      7 ROBERT EVANS; GARY FREDERICKS; PAMELA HAMNER; BARBARA FINN; OTHO BARNES;      8 SHIRLINDA ROBERTSON; SANDRA SMITH; DEBORAH HULITT; RODESTA TUMBLIN; DR.      9 KIA JONES; MARCELEAN ARRINGTON; VICTORIA ROBERTSON      10 VS. No. 3:22-cv-734-DPJ-HSO-LHS      11 STATE BOARD OF ELECTION DEFENDANTS      12 COMMISSIONERS; TATE REEVES, in his official capacity as Governor of Mississippi; LYNN FITCH, in her official capacity Attorney General of Mississippi; MICHAEL WATSON, in his official capacity as Secretary of State of Mississippi      13 AND      14 MISSISSIPPI REPUBLICAN EXECUTIVE INTERVENOR-COMMITTEE DEFENDANT      15 CERTIFICATE OF DEponent      16 I, Madalan Lennep, the deponent in the above deposition, do hereby acknowledge that I have read the foregoing transcript of my testimony, and state under oath that it, together with any attached Amendment to Deposition pages, constitutes my sworn testimony.      17 <input type="checkbox"/> I have made changes to my deposition      18 <input type="checkbox"/> I have NOT made any changes to my deposition      19      20      21 Madalan Lennep      22 Subscribed and sworn to before me, this the day of _____, 20_____.      23      24 Notary Public      25 My Commission Expires: _____</p> <p>Page 155</p> <p>1 CERTIFICATE OF COURT REPORTER      2 I, Julie Brown, Court Reporter and Notary Public, in and for the State of Mississippi, do hereby certify that the above and foregoing 157 pages, including this page, contain a true and accurate transcription of the testimony of Madalan Lennep contain a full, true and correct transcript of the proceedings had in the aforementioned case at the time and place indicated, which proceedings were recorded by me to the best of my skill and ability, remotely via videoconference.      3 I also certify that I placed the witness under oath to tell the truth and that all answers were given under that oath.      4 I certify that the witness has chosen her right to the reading and signing of the deposition.      5 I certify that I have no interest, monetary or otherwise, in the outcome of this case.      6 Witness my signature and seal this day, December 29, 2023.      7      8 Julie Brown      9 JULIE BROWN, RPR, CCR 1587      10 My Commission Expires: April 6, 2024</p>
	<p>Page 156</p> <p>1 ERRATA SHEET      2 PAGE LINE CORRECTIONS (IF ANY)      3 _____      4 _____      5 _____      6 _____      7 _____      8 _____      9 _____      10 _____      11 _____      12 _____      13 _____      14 _____      15 _____      16 _____      17 _____      18 _____      19 _____      20 _____      21 _____      22 _____      23 _____      24 SIGNATURE: _____ DATE: _____      25 Madalan Lennep</p>

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